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REPORTS

FROM

COMMITTEES:

SEVEN VOLUMES.

—*(7.)*—

THAMES CONSERVANCY;

THAMES EMBANKMENT (NORTH SIDE) BILL;

THAMES EMBANKMENT (SOUTH SIDE) BILL.

Session

5 *February* —— 28 *July* 1863.

VOL. XII.

1863.

REPORTS FROM COMMITTEES:

1863.

SEVEN VOLUMES:—CONTENTS OF THE

SEVENTH VOLUME.

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REPORT

FROM THE

SELECT COMMITTEE

ON

THAMES CONSERVANCY, &c.;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

APPENDIX, AND INDEX.

Ordered, by The House of Commons, *to be Printed,*
16 *July* 1863.

Jovis, 19° *die Martii*, 1863.

Ordered, That a Select Committee be appointed to inquire into the Operation of the several Acts of Parliament relating to the Conservancy of the River Thames, to the Buoyage, Beaconage, and Ballastage of that River from Staines to Yantlet Creek, and to the Regulation of Vessels navigating or plying on the River between the aforesaid Limits.

Jovis, 16° *die Aprilis*, 1863.

Committee nominated of—

Mr. Hutt.	Mr. Cave.
The Lord Mayor of London.	Mr. Somes.
Sir John Hanmer	Mr. Richard Hodgson.
Mr. Western Wood.	Mr. Lindsay.
Mr. Joseph Ewart.	Mr. Blackburn.
Mr. Alderman Salomons.	Mr. Shafto.
Mr. Longfield.	Mr. William Cubitt.
Mr. Locke.	

Ordered, That the Committee have power to send for Persons, Papers, and Records.

Ordered, That Five be the Quorum of the Committee.

Jovis, 14° *die Maii*, 1863.

Ordered, That the Petition of Bondholders under the Seal of the City of London Corporation, for inquiry into the injury caused by the transfer to the Conservators of the River Thames of the Tolls and Duties on which the interest of the Bonds was secured, be referred to the Committee.

Jovis, 28° *die Maii*, 1863.

Ordered, That the Committee have leave to adjourn from place to place.

Jovis, 4° *die Junii*, 1863.

Ordered, That Mr. Hankey be added to the Committee.

Veneris, 19° *die Junii*, 1863.

Ordered, That the Petition of Ballast Heavers (Port of London) be referred to the Committee.

Jovis, 16° *die Julii*, 1863.

Ordered, That the Committee have power to report their Observations, together with the Minutes of Evidence taken before them, to The House.

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REPORT.

THE SELECT COMMITTEE appointed to inquire into the Operation of the several Acts of Parliament relating to the Conservancy of the River Thames, to the Buoyage, Beaconage, and Ballastage of that River from *Staines* to *Yantlet Creek*, and to the Regulation of Vessels navigating or plying on the River between the aforesaid Limits;——Have considered the matters to them referred, and have agreed to the following REPORT.

Your Committee in conducting the inquiry referred to them have directed their investigation mainly to the following subjects:—

1st. The laws in force upon the river.

2d. The means adopted for carrying those laws into effect.

3d. The state of the river before and since the appointment of the present Conservancy Board.

4th. The Revenue available for Conservancy purposes.

5th. The complaints made by owners of property and traders affected by the laws in force on the river.

6th. The constitution of the body to whom the management and improvement of the river are confided.

7th. The powers necessary for the effective performance of those duties.

Note.—The numbers in the margin refer to the questions in the evidence.

The conservancy of the River Thames, from Staines to Yantlet Creek, was confided from an early period to the Corporation of London, which, down to the year 1857, administered this duty. The jurisdiction extended over 80 miles of the river's course, and, including the Port of London, comprehended one of the busiest scenes of locomotion and commercial activity in the world. Farrer, 4. Farrer, 6, 7.

The powers attached to this important trust, however, were, as compared with those exercised on other rivers, not large, and were, in some respects, ill-defined. The result, from various causes, was not satisfactory, and the constitution of the conservancy body, as well as its administration, were, from 1836 to 1857, the subjects of repeated public inquiry and animadversion.

Farrer:
13. Committee of the House of Commons, 1836.
18. Report of Royal Commissioners on Corporation of London, 1854.
20. Municipal Corporation Report, 1851.
24. Second Inquiry by Commissioners as to the Corporation of London, 1857.
28. Act of 1857.
29. Terms of compromise.
34, 35. Powers of conservators.
34. 37. Constitution of the Board.

In 1857 recourse was had to legislation. A grave dispute had for many years existed between the Crown and the Corporation of London as to the proprietary rights in the Thames. A Chancery suit to ascertain and determine "the rights of Her Majesty and the Mayor and Commonalty and Citizens in the ground or soil and bed of the River Thames and the shores thereof, so far as the tide flows and reflows in the said river," was ended by a compromise, which is contained in the Act 20 & 21 Vict., c. 147; by this Act the powers of the conservators were enlarged, and a new Board of Conservancy was created. This Board consisted of 12 members, of whom the City nominated six, in addition to the Lord Mayor, who was, *ex officio*, the chairman of the Board: the Admiralty nominated two, the Board of Trade one, and the Trinity House of Deptford Strond the remaining two members.

44. 53. 170. 171, Mersey, 200, Clyde, 213, Weir, 223, Tyne. 161, Recommendation of Commissioners upon local charges for shipping. S. Smith, 5750 to 5761. Opposition to Act.

This Board was not framed in accordance with the principles which have, in recent times, been adopted by the Legislature in similar cases; and its composition, not less than its comparative irresponsibility, were matters which, while the Bill was before the Legislature, excited considerable remonstrance and opposition.

Burstal: 378, 381. Attendance of members, 415. Sulivan, 1291. Pillow, 4284. Downey, 4975, 4980. Capper, 3218, 3219.

But whatever may be the inherent defects of the Board's constitution, it is but justice to those who, during the last five years, have administered its duties, to state, that, in the opinion of your Committee, their exertions have deserved the thanks of those interested in the River Thames.

Farrer, 57, 40,000 *l.* Burstal, 292, 35,000 *l.* Burstal, 425, 445, 446 - - - } Shoals. Sulivan, 1302 - } Leach, 772, 813 (landing places). 843. 844. General Improvements. Leach, 822. Moorings.

With a revenue of about 40,000 *l.* per annum, they have, in the course of five years, entirely removed or greatly diminished all the shoals between London Bridge and Barking Creek, which narrowed the waterway and obstructed the navigation of the river; they have laid down, in well chosen stations, secure and commodious moorings for vessels riding in the stream; they have organised and enforced a system of regulations on the river, which has greatly facilitated its immense and complicated traffic; they have done something towards the rectification of the channel; they have, as far as possible, protected the river from the practices of those who would make its bed the receptacle of mud and rubbish, and who poisoned its water with impurities. Finally, out of the capital fund at their disposal, they have erected, at various points on the river banks, improved piers, and landing places, which have not only afforded great accommodation to the thousands of passengers who daily crowd the highway of the Thames, but have opened to the lighters and small craft plying on the river an inshore passage, obstructed or blocked up by the former landing places.

Sulivan, 1317. 1421. 1324, 1325.

Sulivan, 1304.

W. Strang, 5127, 5128. Pigott, 2633. Macdonald, 2793. Sulivan, 1304 - } Piers. Thorp, 6028, 7012 - } Capper, 3193 - }

The natural circumstances of the Thames, the docks created by private enterprise, together with the great works constructed in former ages for confining its waters to a navigable channel, have left no field for those engineering operations which have produced such striking benefits to navigation in the Clyde and the Mersey, but it cannot be gainsaid that the labours of the Conservancy Board have greatly developed the capacities and usefulness of the imperial river.

Barry, 3552, &c. Fennings, 3707, &c. Turnley, 4574, &c. Sells, 5239, &c. Towse, 5878, &c. Smith, 5754.

In every department needing correction and improvement, reforming administrators will excite some discontent.. The Thames Conservators have excited a good deal; and ill-founded as the complaints against them have appeared to your Committee, the fact is not to be disputed that there are matters involved in the structure of this Board, and in its mode of administration, which, among a people accustomed to the maxims of constitutional government, will always provoke dissatisfaction and distrust. This Board, though charged with a great public trust and levying money, is practically irresponsible; it transacts its business in private, and has no proper audit of its accounts. With such essential faults it is not astonishing that its merits should be undervalued, nor that the House of Commons should have unanimously refused to grant to such a body any further extension of its powers.

Capper, 3126. Barry, 3580, 3581. Fennings, 3730. Pillow, 4286. Sells, 5256. Smith, 5800.

Your Committee think that it is desirable to alter the character of the Thames Conservancy Board, and that the principle of direct responsibility which pervades all our institutions, and which Parliament seems of late years to have adopted, when legislating for the other navigable rivers of the country, should at last, however late, be applied to the most important of them all. Nearly all the witnesses questioned by the Committee on this subject concurred in the same opinion.

It does not appear desirable, however, that the Conservancy Board of such a river should consist entirely of members representing local interests. Imperial interests of much importance are concerned in the management of the Thames, for which it is expedient specially to provide.

With this object it seems right that the Admiralty and the Board of Trade should continue to nominate members of the Board.

For analogous reasons the Trinity House, which is charged with the administration of the lights of the coast of England and of the pilotage of the River Thames, should also continue to nominate members.

But

But there are local interests which your Committee think should be specially represented at the Board. The corporation of London, up to a recent period, possessed undivided power in the general management of the river. They had held that power for centuries. In 1857 they surrendered part of it in a liberal spirit of peace and concession. To displace the Corporation of London from a Council where they had long been paramount, and were always predominant, where their conduct too had been marked by moderation would be an ungenerous, if not an inequitable act. But it would also be inconsistent with sound policy. It is just and proper that they should have a voice in the Conservancy of the River, and your Committee think that not less than three of the members of that body might fairly be nominated by the Corporation of London. Another body in the City of London, the Watermen's Company, has long exercised great authority over the traffic of the Thames. That authority conceded to the Company at an early period, and marked by the narrow spirit of the time, your Committee do not desire to perpetuate. It does not appear wise to give, in these days, any new sanction to a law which provides that no barge or boat shall ply on the Thames for hire, unless it have on board one or more members of the Watermen's Company, or persons approved by it: and although several intelligent witnesses, examined before the Committee, have recommended that some member of the Watermen's Company should have a seat at the Conservancy Board, your Committee are unwilling to call in the co-operation of that body.

Sulivan, 1370-1-2-3.
Barry 3584, 3602.
Cory, 4949.
Sells, 5346-7-8-9, &c.

Fennings, 3742.
Pillow, 4288.
Sells, 5256, 5291.
Towse, 5394, 5395.
S. Smith, 5825.

Your Committee recommend that the number of the members of the Conservancy Board be fixed at 18, of whom 3 should be nominated by the Corporation of London, 2 by the Admiralty, 2 by the Board of Trade, and 2 by the Trinity House, leaving 9 to be determined by election.

It is not easy to decide on the constituent body connected with the Thames by which these 9 members should be chosen. It is a principle which pervades almost every form of government in England, and it is just and right, that those who contribute their money to any public purpose should have control over the persons by whom that money is expended. But is the franchise in question to be confined to the payers of tonnage rates on ships? It does not appear just so to restrict the elective body. Certain barge owners above bridge are also, in effect, contributors to the fund, and are therefore entitled to vote for representatives at the Board. The dues levied on barges above Kew seem to have been imposed originally merely to maintain the towing-paths, causeways, weirs, and locks necessary for barge navigation. But it appears by the accounts presented to Parliament that over and above the expenses so incurred, and the payment of the interest of the bonds of the upper navigation, there is an annual surplus, which is now paid over to the general fund of the Conservancy. These barge owners are, therefore, as much entitled to vote for representatives at the Board as the ship owners. There is in this tax upon barges, taken by itself, nothing objectionable except the partiality of its application. It does not affect all barges on the river, but only those plying on its upper waters. It should be levied equally on all. No species of craft on the Thames is more indebted to the supervision of the Conservators for safe and commodious navigation than barges and lighters. The removal of shoals and banks in the bed of the stream, the maintenance of an open waterway, the establishment of moorings, the enforcement of order and discipline, are all costly operations, of great value to barges moving up and down the river, and such vessels should surely contribute their quota to the expense. The same observation applies also and with equal force to steamboats on the Thames.

Capper, 3134.
Tindall, 5165.
Thorp, 6042.

Capper, 3142.

One of the best informed witnesses, an active member of the Conservancy Board, Mr. Thorp, while admitting the valuable services thus rendered to these vessels, objected to taxing them for it, by saying that the Board had no occasion for larger funds. Granting that this is just and that the capabilities of the Thames, as a navigable and commercial river, have been so perfectly ascertained and developed, that no expenditure more ample than the present can judiciously be applied to it; still the shipowners, who nearly alone provide for that expenditure, wish to have these dues reduced, and demand that others, who equally with them profit by the improved condition of the river, shall share with them the cost of effecting it. This redistribution of taxation would produce a constituency very similar to those which, under recent Acts, elect the

Thorp, 7254, 7256.

Capper, 3165.

Capper. Barry, 3612. Fennings, 3742.

Conservators of other navigable rivers. Witnesses, who had evidently considered this subject with care, propose, among other persons, to give the franchise to all wharfingers and dock proprietors, as well as to all owners and occupiers of waterside premises on both sides of the Thames throughout the 80 miles of country between Staines and Yantlet Creek; a population certainly too numerous, too various, too much separated and dissociated to be moulded into an available practicable constituency, to say nothing of the difficulty attending the necessary test of qualification and construction of the registry.

But after all, this vast community, though undoubtedly interested in the good management of the Thames, is not and could not easily be made contributory to its expenses. Even if the contributions of a body so numerous were required for revenue, how is the rate to be assessed, and how are assessments so various, and often so insignificant, to be collected?

The whole subject is one of great difficulty; but your Committee are of opinion that, on the whole, the registered owners of sailing vessels, steam vessels, and barges, paying a certain fixed rate of dues, will form the best constituencies for the elected members of the Board.

Closely connected with the management and preservation of the River Thames, is the subject of ballastage, which has also been referred to the examination of your Committee.

Pigott, 2417, 2418.

The ballastage of the Thames is, by ancient charter and recent legislation, vested exclusively in the Trinity House. The Act 5 & 6 Vict. c. 47. gives to the Conservators the right, also enjoyed by the Trinity House, of dredging the river, as well as the power of regulating the dredging by the Trinity Corporation; but the latter alone is authorized by law to supply ballast to shipping in the Port of London.

Ib., 2420.

Strang, 5053, 5082. Tindall.

There is, in the Port of London, a demand for ballast, greatly exceeding what is known elsewhere. This arises chiefly from the bulky articles imported into London without any corresponding quantity of similar exports. A ship, which, clearing from Liverpool, would generally take on board, for purposes of ballast, coals and salt, or which clearing from Glasgow, would load with coals and iron, is compelled to receive in the Port of London, shingle or gravel, or other heavy material, to ballast her. In 1862, there was shipped in the Port of London as ballast, 202,915 tons of chalk, and 565,700 tons of shingle, in all 868,615 tons of material, for which the sum of 44,300 *l.* was received in exchange, as what is termed ballastage, or payment for such ballast.

Pigott.

It might be supposed that this extraordinary demand for ballast would have called forth in the commercial metropolis of the world some arrangements better than exist elsewhere for supplying it. Such would probably have been the case, if the ballast trade in London had been left as elsewhere to the undisturbed operation of the laws of purchase and sale. But the ballast trade in London is a rigorous monopoly. No party but the Trinity House is permitted by law to supply ballast to shipping in this port.

Strang, 5033, 5034. 5036. Shelbourne, 4104. 4105, 4116, 4156. Tindall, 5176. 5218. 5225. Farrer, 100.

Such being the law, your Committee have heard without astonishment, from the chairman of the Shipowners Association of London, and other competent witnesses, that the ballast supplied in the Thames is, comparatively, dear and bad, that valuable time is often needlessly lost in getting it on board ship, and that the conduct of the officers supplying it, is little marked by alacrity and spirit of accommodation. These are the certain effects of monopoly in all its forms. The Act 6 & 7 Vict., c. 57, which confers this prerogative on the Trinity House expires next year. Your Committee are of opinion that it should not be renewed.

In the port of London as elsewhere, and for even stronger reasons than elsewhere, the shipowner should be perfectly at liberty to make his own bargains about ballast.

It must not, however, be inferred that the change here contemplated would necessarily destroy the market for the disposal of ballast brought up from the bed of the river. The Conservators are bound in the discharge of their duty to provide for the removal of those shoals from which ballast is chiefly

chiefly supplied, and such ballast would probably always be preferred by ship-owners on the score of cheapness, to any brought from a distance.

The Trinity House and the Conservators both occupy themselves with dredging the river. The Trinity House raises from its bed below bridge, (to which district its authority is confined,) those materials only which are useful as ballast; the Conservators, in the district from Staines to Yantlet, everything which obstructs the even form of the river channel. Both of these authorities maintain an independent and expensive establishment for doing that which would probably be done with greater efficiency and smaller cost by one of them. Now, as the jurisdiction of the Trinity House terminates westward with London Bridge, and as even within this jurisdiction its dredging operations are in complete subordination to the Conservancy Board, it would be better to vest in that Board the exclusive business and responsibility of dredging. None but the Conservancy officers, or those acting under their special direction and control, should be permitted to touch the bed of the river. It may perhaps be questioned whether the practical operation of dredging should be executed by the Board's officers, or whether contractors working under the appointment and careful supervision of these officers would not perform the business cheaper better, and more satisfactorily. It is to be remarked that this latter system is in practical operation above bridge. There the dredging for sand and ballast is executed by private enterprise, licensed, directed, and regulated by the Conservators. The result is in most respects satisfactory. A limited amount of shoal and of sand bank is annually removed, and the Conservators, unencumbered with the expense of machinery and workmen, receive between 800 *l.* and 900 *l.* per annum for the permission which they grant to others to improve the bed of the river. It is true that the condition of the Channel above bridge is not a subject of commendation. Mr. Walker, the engineer, in the careful Report which he made in 1841, to the City of London on the state of the Thames pronounced the condition of all that part of the Conservators' jurisdiction as "discreditable." Since Mr. Walker made that protest very little has been effected to remedy the evil which he denounced; some improvements have been made about Teddington Lock, but the rest of the river above bridge seems still to merit, whatever may be the cause, the censure of the official engineer. It is probable that the ballastage monopoly of the Trinity House which prohibits the sale to shipowners of the shingle and gravel raised there, and limits the market for such materials to builders and contractors, has operated powerfully to prevent the removal of the shoals, and that the waterway above-bridge would soon undergo important amelioration if the sale of ballast on the river were free. It is the opinion of your Committee that under a system of free competition for ballast in the port of London, the price of it would be reduced and the quality improved.

Thorp, 7292.

Between the years 1854 and 1862 there was in the hands of the Trinity House an average net profit of 3,124 *l.* on account of ballastage. But of this sum deduction has to be made on account of the share of general expenses of the Trinity House, which is due to superintending ballastage. The money was paid over to the Mercantile Marine Fund, to be disposed of under the control of the Board of Trade, as the Merchant Shipping Act, 1853, directs, and as your Committee will proceed to explain.

Pigott, 2478.

Farrer, 100.

Previous to this Act, the profits of ballastage were disposed of by the Trinity House in charitable distribution as ordered by the Statute of Charles II. In 1853 Parliament was of opinion that funds ought not to be raised from such a source for such purposes, and the distribution was therefore directed to cease. It was necessary, however, to provide, during their lives, for all the former recipients of this bounty. To these objects the balance has been applied, and in any changes on the subject of ballastage which Parliament may hereafter direct, these obligations must of course be kept in view.

But there is another class of persons whose position, under such a change, also requires to be noticed; the ballast-heavers of London. The Trinity House has acted towards these obscure labouring men with a degree of pains-taking sympathy not always to be heard of in the routine of official occupation, and a remarkable petition from a body of them having been referred by the House to your Committee, it seems right to make a special allusion to their case.

Farrer, 103.

Pigott, 2538.

Cory, 4762.

Ballast-heavers are labourers who, in the Port of London, transfer from lighters to ships needing ballast the heavy materials called by that name. Theirs is among the most laborious toil to which working men can devote themselves. In the River Thames there are 418 of these men regularly employed.

Pigott, 2497.

See Petition of Ballast-heavers. Appendix, No. 3.

Up to the year 1853 the Thames ballast-heavers, by one of those necessities which, in a populous country, can sometimes be created, could obtain employment only through the agency of certain waterside publicans, and these publicans would furnish it only on condition that the greater part of each man's earnings was left with them in payment for drink.

The consequence may be partly imagined. Daily intoxication became the enforced condition of their existence, and, under such compulsion, the state of these poor men, their wives and children, was a subject as calculated to awaken strong compassion as anything which the history of human suffering has ever exhibited.

Pigott, 2538.

The Trinity House, under the wise and humane counsel of its illustrious Master, the late Prince Consort, came to their relief. The Society itself assumed the office of middleman between the shipowners and the ballast-heavers. They undertook to supply the ships with ballast-heaving at a rate far below that of the publicans. They thus rescued these unfortunate beings almost in a body from the slavery of the dram-shops, secured to them in full measure the fruits of their industry, and placed in their way every inducement to independence and self-respect. It is right to the men to remark, that this generous labour has not been lost. Your Committee trust that whatever changes the Legislature may institute in the ballastage of the Thames, these beneficent arrangements will be preserved and perpetuated; nor do they anticipate any insuperable difficulty in the way. Under a system of free trade, the Conservancy Board would generally command the ballast market by the comparative cheapness and readiness with which they can always supply it; and your Committee earnestly hope that they will avail themselves of that circumstance to maintain the machinery so carefully and successfully organised by their predecessors for the protection of the ballast heavers.

Farrer, 127.

Your Committee pass on to another subject referred to their consideration; the buoys, beacons, and lights of the River Thames, all of which are, of course, within the limits of the Port of London. The Trinity House seems to be charged by law with the proper maintenance of these aids to navigation, and the Conservators of the River have also the same duty. It is stated, in evidence, that little or no practical inconvenience has hitherto arisen from this apparently conflicting jurisdiction. A double administration like this, however, seems well calculated to produce misunderstanding, while it can be for no good purpose whatever. There can be no advantage in charging two separate parties with duties which one of them is fully competent to perform.

Your Committee recommend that in future the Buoyage and Beaconage of the Thames be confided to the Conservators alone; that the Trinity House be released from all attention to them. On the other hand, the Trinity House, which has charge of the lighthouses on the coast, which has so large an experience in their management, and maintains them so well, would, with great advantage to the public, assume the care of the few lights on the Thames now in the hands of the Conservators.

Humphreys, 2236. 2240.

Your Committee have already adverted to the singular control over the traffic and navigation of the Thames assigned by law to the Watermen's Company. This Company has jurisdiction over all boats, barges and vessels plying between Teddington and Gravesend; and over all such craft discharging between these two points, from whatever part of the river they may start. A freeman of the Waterman's Company, or some one formally authorised by it, must be engaged by the proprietor to assist the navigation of even the smallest boat plying for hire on the Thames between these two towns.

As far as your Committee can learn, no such interference with free navigation exists on any other river in the empire, and it is much complained of on the Thames. Some of the witnesses examined before the Committee, alleged the

the vast amount of traffic on the Thames as a valid reason for maintaining on the river such interference with the freedom of labour. This reason, however, is far from conclusive. Vessels coming from without the jurisdiction of the Company and discharging beyond it, are free to pass through the whole space between Teddington and Gravesend without any interference of the Watermen's Company. Such vessels may be navigated by whomsoever the owner may employ for that purpose, and it is not alleged that any danger ensues from the freedom. It is only when they proceed part of the way that it is held necessary to take extraordinary precautions for their management and safety.

Pillow, 4309. Downey, 4985. Shelbourne, 4273. Humphreys, 2242.

Your Committee believe that the self-interest of individuals in the care of their property, which in all the other rivers, ports, and harbours of the country, induces those who need the services of watermen to avoid employing unsafe and incompetent persons, will exercise an equally salutary influence on the River Thames. They therefore recommend that without interfering further with the vested rights of the Watermen's Company, all owners of vessels, including barges and lighters, on the Thames may be enabled to employ those only whom they please to navigate them, and that the sanction of this ancient corporation may no longer be necessary to that purpose.

All vessels on the River Thames must, of course, be amenable to the bye-laws of the Conservancy Board, the only proper guardians of its navigation; and if restraint on the employment of improper persons be necessary, it should be confined to excluding from the right to navigate vessels on the river such persons as by misconduct or incompetency prove themselves dangerous to others.

It appears by the Journals of the House, that a Bill entitled the Thames Conservancy Amendment Bill for granting to the Board additional powers, was on the 11th of February last introduced into the House, and read a first time, and that on the 19th of February, on the motion to read it a second time, the Bill was after a debate rejected without a division. The House seemed on that occasion to intimate an opinion; not that additional powers were unnecessary for the due execution of the duties of the Conservancy, but that it was inexpedient to grant any such powers, until an inquiry had been instituted by the House into the constitution and proceedings of the Board. Your Committee have now completed such inquiry; they think that though duties of the Conservancy have been well executed, the constitution of the Board should undergo the modification which they have pointed out, and that supplemental powers should then be entrusted to the Board, to enable it effectually to execute the trust which Parliament has committed to it.

Considerable alarm has been felt by the owners of certain bonds lawfully issued by the Corporation of London as Conservators of the River on the security of specified barge dues. They supposed that the present Conservators repudiated their liability for these bonds, and they had ascertained by proceedings at law that the City of London is no longer responsible for them. The bonds represent an aggregate value of 148,000 *l.*

Turnley, 4575. 4577.

There is no doubt that when Parliament handed over all the assets of the late Conservators to a new Board it designed to hand over at the same time all their liabilities, including the bonds. Mr. Thorp, the Deputy Chairman of the Conservancy Board, seemed to consider that such was in fact the effect of the Act of Parliament. But it is not fitting that any doubt should be thrown on the subject; and your Committee therefore recommend that the first opportunity should be taken to establish by a statutory declaration the legal rights of these bondholders.

Thorp, 7015, 7016.

The inquiries undertaken by your Committee result then in the following recommendations:

That a Bill be introduced into Parliament in the course of next Session for the purpose of creating a new Board of Conservancy for the River Thames.

That this Board consist of 18 members, of whom one-half be nominated by the Admiralty, the Board of Trade, the Trinity House, and the Corporation of London, and that the other half be elected by the ship owners, barge owners, and steamboat owners within the jurisdiction of the Conservancy.

That the representative members of the Board be elected for a period not exceeding three years, but be eligible for re-election.

That the accounts of the Board be annually audited by a duly qualified officer, and annually presented to Parliament.

That the monopoly of the ballastage of the River Thames be abolished, and that the Trinity House be released from all care of the buoys and beacons within the jurisdiction of the Conservancy.

That the right exercised by the Watermen's Company to control the navigation of the Thames between Teddington and Gravesend, be terminated.

That all ships, steamboats, and barges, within the limits of the Conservancy, be made contributory to its revenue.

That the validity of the bonds issued by the Corporation of London on the security of the tolls on barges navigating the upper waters of the Thames, be clearly recognised by law.

16 July 1863.

PROCEEDINGS OF THE COMMITTEE.

Lunæ, 20° *die Aprilis*, 1863.

MEMBERS PRESENT:

Mr. Hutt.	Mr. Cave.
The Lord Mayor of London.	Mr. Somes.
Sir John Hanmer.	Mr. Lindsay.
Mr. Western Wood.	Mr. Blackburn.
Mr. Joseph Ewart.	Mr. Shafto.
Mr. Longfield.	Mr. Cubitt.
Mr. Locke.	

Mr. HUTT was called to the Chair.

The Committee deliberated.

[Adjourned to Friday next, at Twelve o'clock.

Veneris, 24° *die Aprilis*, 1863.

MEMBERS PRESENT:

Mr. Hutt.	Mr. Longfield.
Mr. R. Hodgson.	

[The Committee was adjourned to Monday next, at Twelve o'clock.

Lunæ, 27° *die Aprilis*, 1863.

MEMBERS PRESENT:

Mr. HUTT in the Chair.

Sir John Hanmer.	Mr. Locke.
Mr. Lindsay.	The Lord Mayor.
Mr. Longfield.	Mr. Cave.
Mr. Alderman Salomons.	Mr. W. Cubitt.
Mr. Somes.	Mr. Richard Hodgson.

Mr. *Thomas Henry Farrer* examined.

[Adjourned to Friday next, at Twelve o'clock.

Veneris, 1° *die Maii*, 1863.

MEMBERS PRESENT:

Mr. HUTT in the Chair.

Mr. Richard Hodgson.	Mr. Cave.
Mr. Joseph Ewart.	The Lord Mayor.
Mr. Longfield.	Mr. Locke.
Sir John Hanmer.	Mr. Somes.
Mr. Lindsay.	Mr. W. Cubitt.
Mr. Blackburn.	Mr. Alderman Salomons.
Mr. Western Wood.	

Captain *Edward Burstal*, R.N., and Mr. *Stephen William Leach*, severally examined.

[Adjourned to Monday next, at Twelve o'clock.

Lunæ, 4° *die Maii*, 1863.

MEMBERS PRESENT:

Mr. HUTT in the Chair.

Sir John Hanmer.
Mr. William Cubitt.
Mr. Joseph Ewart.
Mr. Longfield.
Mr. Locke.
Mr. Western Wood.
Mr. Blackburn.
Mr. Alderman Salomons.
Mr. Lindsay.
Mr. Cave.
Mr. Richard Hodgson.
The Lord Mayor.
Mr. Somes.

Mr. *S. W. Leach* further examined.

Captain *Sulivan*, R.N., examined.

[Adjourned to Friday next, at Twelve o'clock.

Veneris, 8° *die Maii*, 1863.

MEMBERS PRESENT:

Mr. HUTT in the Chair.

Sir John Hanmer.
Mr. Longfield.
Mr. Blackburn.
Mr. William Cubitt.
Mr. Lindsay.
Mr. Locke.
Mr. Western Wood.
Mr. Shafto.
Mr. Cave.
Mr. Richard Hodgson.
Mr. Joseph Ewart.
Mr. Alderman Salomons.
Mr. Somes.

Captain *Sulivan*, R.N., further examined.

[Adjourned to Monday next, at Twelve o'clock.

Lunæ, 11° *die Maii*, 1863.

MEMBERS PRESENT:

Mr. HUTT in the Chair.

Sir John Hanmer.
Mr. Alderman Salomons.
Mr. Longfield.
Mr. William Cubitt.
Mr. Blackburn.
Mr. Shafto.
Mr. Joseph Ewart.
Mr. Lindsay.
Mr. Cave.
Mr. Richard Hodgson.
Mr. Somes.
Mr. Locke.

Captain *Sulivan* further examined.

Mr. *Charles Thorndyke Tucker*, Mr. *Scrivenor*, and Mr. *Henry Humphreys* severally examined.

[Adjourned to Friday next at Twelve o'clock.

Veneris, 15° *die Maii*, 1863.

MEMBERS PRESENT:

Mr. HUTT in the Chair.

Mr. Richard Hodgson.	Mr. Blackburn.
Sir John Hanmer.	Mr. Joseph Ewart.
Mr. Cave.	Mr. William Cubitt.
Mr. Lindsay.	The Lord Mayor.
Mr. Longfield.	Mr. Alderman Salomons.

Captain *William Pigott*, Mr. *Edward Macdonald*, and Mr. *Charles Capper* severally examined.

[Adjourned to Monday next, at Twelve o'clock.

Lunæ, 18° *die Maii*, 1863.

MEMBERS PRESENT:

Mr. HUTT in the Chair.

Sir John Hanmer.	Mr. Joseph Ewart.
Mr. Shafto.	Mr. Richard Hodgson.
Mr. Cave.	Mr. Alderman Salomons.
Mr. Blackburn.	Mr. Locke.
Mr. Longfield.	Mr. Somes.

Mr. *Charles Capper* further examined.
Mr. *John George Barry* examined.

[Adjourned to Monday June 1st, at Twelve o'clock.

Lunæ, 1° *die Junii*, 1863.

MEMBERS PRESENT:

Mr. HUTT in the Chair.

Sir John Hanmer.	Mr. Shafto.
Mr. Longfield.	Mr. Alderman Salomons.
Mr. Blackburn.	Mr. Joseph Ewart.
Mr. William Cubitt.	Mr. Richard Hodgson.
Mr. Cave.	Mr. Lindsay.
Mr. Locke.	

Mr. *James Fennings* examined.

Captain *E. Burstal* further examined.

Mr. *Edward Shelbourn* examined.

Mr. *Stephen William Leach* further examined.

[Adjourned to Friday next, at 11 o'clock.

Veneris, 5° *die Junii*, 1863.

MEMBERS PRESENT:

Mr. HUTT in the Chair.

Mr. Cave.	Mr. Locke.
Mr. William Cubitt.	Mr. Longfield.
Mr. Joseph Ewart.	Mr. Alderman Salomons.
Sir John Hanmer.	Mr. Somes.
Mr. Lindsay.	Mr. Hankey.

The Committee met, and having obtained power to move from place to place, embarked on board the steamer placed at their disposal by the Board of Conservators, and proceeded from Westminster to Lambeth, and thence down the river as far as Barking, returning to the House of Commons at a quarter after three of the clock.

[Adjourned to Monday next, at Twelve o'clock.

Lunæ, 8° *die Junii*, 1863.

MEMBERS PRESENT:

Mr. HUTT in the Chair.

Mr. Shafto.	Mr. William Cubitt.
Mr. Hankey.	Mr. Alderman Salomons.
Sir John Hanmer.	Mr. Cave.
Mr. Longfield.	Mr. Lindsay.
Mr. Locke.	

Mr. *Thomas Pillow*, Mr. *Joseph Turnley*, Mr. *Cory*, and Mr. *John Downey*, severally examined.

[Adjourned to Friday next, at Twelve o'clock.

Veneris, 12° *die Junii*, 1863.

MEMBERS PRESENT:

Mr. HUTT in the Chair.

Mr. Cave.	Mr. Somes.
Sir John Hanmer.	Mr. Alderman Salomons.
Mr. Blackburn.	Mr. Lindsay.
Mr. Joseph Ewart.	Mr. Locke.
Mr. Hankey.	

Mr. *William Strang*, Mr. *William Henry Tindal*, Mr. *Edward P. Sells*, and Mr. *John Beckwith Towse* examined.

[Adjourned to Monday next, at Twelve o'clock.

Lunæ, 15° *die Junii*, 1863.

MEMBERS PRESENT:

Mr. HUTT in the Chair.

Mr. Cave.	Mr. Locke.
Mr. Longfield.	Mr. Joseph Ewart.
Mr. Alderman Salomons.	Mr. Hankey.
Mr. Somes.	Mr. Lindsay.
Sir John Hanmer.	

Mr. *John B. Towse* and Mr. *Stephen William Leach* further examined; Mr. *Sidney Smith* and Mr. *Jonathan Thorp* severally examined.

[Adjourned to Friday next, at Twelve o'clock.

Veneris, 19° *die Junii*, 1863.

MEMBERS PRESENT:

Mr. HUTT in the Chair.

Mr. Longfield.	Mr. Shafto.
Mr. Hankey.	Mr. Cave.
Mr. Blackburn.	Mr. Richard Hodgson.
Mr. Locke.	Mr. Lindsay.
Mr. Joseph Ewart.	Mr. Somes.

Mr. *Jonathan Thorp* further examined.

[Adjourned to Thursday, 16 July, at one o'clock.

Jovis, 16° *die Julii*, 1863.

MEMBERS PRESENT:

Mr. HUTT in the Chair.

Mr. Alderman Salomons.	Mr. Locke.
Mr. Joseph Ewart.	Mr. Lindsay.
Mr. Blackburn.	Mr. Cave.
Mr. Hankey.	

Draft Report proposed by the Chairman, read 1°, as follows:

"1. That your Committee in conducting the inquiry referred to them have directed their investigation mainly to the following subjects:—

"1st. The laws in force upon the river.

"2d. The means adopted for carrying those laws into effect.

"3d. The state of the river before and since the appointment of the present Conservancy Board.

"4th. The Revenue available for Conservancy purposes.

"5th. The complaints made by owners of property and traders affected by the laws in force on the river.

"6th. The constitution of the body to whom the management and improvement of the river is confided.

"7th. The powers necessary for the effective performance of those duties.

"2. The conservancy of the River Thames, from Staines to Yantlet Creek, was confided from an early period to the Corporation of London, which, down to the year 1857, administered its duties. The jurisdiction extended over 80 miles of the river's course, and including the Port of London, comprehended one of the busiest scenes of locomotion and commercial activity in the world.

Note.—The numbers in the margin refer to the questions in the evidence.
Farrer, 4.
Farrer, 6, 7.

"3. The powers attached to this important trust, however, were, as compared with those exercised on other rivers, not large, and were, in some respects, ill-defined. The result, from various causes, was not satisfactory, and the constitution of the conservancy body, as well as its administration, were, from 1836 to 1857, the subjects of repeated public inquiry and animadversion.

Farrer:
13. Committee of the House of Commons, 1836.
18. Report of Royal Commissioners on Corporation of London, 1854.
20. Municipal Corporation Report, 1851.
24. Second Inquiry by Commissioners as to the Corporation of London, 1857.
28. Act of 1857.
29. Terms of compromise.

"4. In 1857 recourse was had to legislation. By the Act 20 & 21 Vict. c. 147, a grave dispute between the City Corporation and the Crown about proprietary rights in the Thames was ended by compromise; the powers of the conservators were enlarged, and a new Board of Conservancy was created. This Board consisted of 12 members, of whom the City nominated six, the Lord Mayor for the time being also a member, and, *ex officio*, the chairman of the Board: the Admiralty nominated two, the Board of Trade one, and the Trinity House of Deptford Strond the remaining two members.

Constitution of the Board.
34, 35. Powers of conservators. 34. 37.

"5. This Board of Nominees was not framed in accordance with the principles which have, in recent times, been adopted by the Legislature in similar cases: and its composition, not less than its comparative irresponsibility, were matters which, while the Bill was before the Legislature, excited considerable remonstrance and opposition.

44. 53. 170.
171, Mersey, 200, Clyde, 213, Weir, 223, Tyne.
161, Recommendation of Commissioners upon local charges for shipping. S. Smith, 5750 to 5761. Opposition to Act.

Burstal: 378, 381. Attendance of members, 415. Sulivan, 1291. Pillow, 4284. Downey, 4975, 4980. Capper, 3218, 3219.

"6. But, whatever may be the inherent defects of the Board's constitution, it is but justice to those who, during the last five years, have administered its duties, to state, that, in the opinion of your Committee, their exertions have deserved the thankful acknowledgments of all who are interested in the River Thames.

Farrer, 57. 40,000 *l.* Burstal, 292, 35,000 *l.* Burstal, 425, 445, 446 - - - Sulivan, 1302 - } Shoa

"7. With a revenue little exceeding 40,000 *l.* per annum, they have, in the course of five years, entirely removed or greatly diminished all the shoals which, between London Bridge and Barking Creek, narrowed the waterway and obstructed the navigation of the river; they have laid down, in well-chosen stations, secure and commodious moorings for vessels riding in the stream; they have organized and enforced a system of regulations on the river, which has greatly facilitated its immense and complicated traffic; they have done something towards the rectification of the channel; they have, as far as possible, protected the river from the practices of those who formerly made its bed the receptacle of mud and rubbish, and who poisoned its water with impurities. Finally, availing themselves of a capital fund at their disposal, they have erected, at various points on the river banks, piers and landing places, which have not only afforded free accommodation to the thousands of passengers who daily crowd the highway of the Thames, but have thus opened to the lighters and small craft plying on the river an inshore passage, formerly obstructed or blocked up by the landing places of private speculators in such conveniences.

Leach, 772, 813 (landing places). 843. 844. General Improments. Leach, 822. Moorings. Sulivan, 1317. 1421. 1324, 1325. Sulivan, 1304. W. Strang, 5127, 5128. Pigott, 2633. Macdonald, 2793. Sulivan, 1304 - Thorp, 6028, 7012 - Capper, 3193 - } Piers.

"8. The natural circumstances of the Thames, the docks created by private enterprise, together with the great works constructed in former ages for confining its waters to a navigable channel, have left no field for those engineering operations which have produced such striking benefits to navigation in the Clyde and the Mersey, but it cannot be gainsaid that the labours of the Conservancy Board have greatly developed the capacities and usefulness of the Imperial river.

Barry, 3552, &c. Fennings, 3707, &c. Turnley, 4574, &c. Sells, 5239, &c. Towse, 5878, &c. Smith, 5754.

"9. In every department needing correction and improvement, reforming administrators will excite some discontent. The Thames Conservators have excited a good deal; and ill-founded as most, if not all, of the complaints against them have appeared to your Committee, the fact is not to be disputed that there are matters involved in the structure of this Board, and in its mode of administration, which, among a people accustomed to the maxims of constitutional government, will always provoke dissatisfaction and distrust. This Board, though levying money, is practically irresponsible; it transacts its business in private, and has no real audit of its accounts. With such essential faults, it is not astonishing that its unquestionable merits should be undervalued, nor that the House of Commons should have unanimously refused to grant to such a body any further extension of its powers.

Capper, 3126. Barry, 3580, 3581. Fennings, 3730. Pillow, 4286. Sells, 5256. Smith, 5800.

"10. Your Committee think that it is desirable to alter the character of the Thames Conservancy Board, and that the principle of direct responsibility which pervades all our institutions, and which Parliament seems of late years to have adopted, when legislating for the other navigable rivers of the country, should at last, however late, be applied to the most important of them all. Nearly all the witnesses questioned by the Committee on this subject concurred in the same opinion.

"11. It does not appear desirable, however, that the Conservancy Board of such a river should consist entirely of members representing local interests. Imperial interests of much importance are concerned in the management of the Thames, for which it is expedient specially to provide.

"12. With this object it seems right that the Admiralty and the Board of Trade should continue to nominate Members of the Board.

"13. For analogous reasons the Trinity House, which is charged with the administration of the lights of the coast of England and of the pilotage of the River Thames, should also continue to nominate two members of the Board.

Thorp, 7233.

"14. But there are local interests which your Committee think should be represented at the Board, though that object can only be secured by a kind of nomination. The corporation of London, up to a recent period, possessed undivided power in the general management of the river. They had held that power for centuries. In 1857 they surrendered part of it in a liberal spirit of peace and concession. To displace the Corporation of London altogether from a Council where they had long been paramount and were always predominant, where their conduct too had been marked by moderation, would be an ungenerous, if not an inequitable act. But it would also be inconsistent with sound policy. The Common Council of London, from the mode of its election, may fairly be taken to represent the property, trade, intelligence, and numbers of the City. It is just and proper that they should have a voice in the Conservancy of the River, and your Committee think that not less than three of the members of that body might fairly be nominated by the Common Council of London.

Sulivan, 1370-1-2-3. Barry 3584. 3602. Cory, 4949. Sells, 5346-7-8-9, &c.

"15. Is there any other public institution which can reasonably claim to share in the administration of this trust? Your Committee think that there is none. Another body in the City of London, the Watermen's Company, has long exercised great authority over the traffic of the Thames. That authority, conceded to the Company at an early period, and marked by the narrow spirit of the time, your Committee do not desire to perpetuate. It does not appear wise to give, in these days, any new sanction to a law which provides that no barge or boat shall ply on the Thames for hire, unless it have on board one or more members of the Watermen's Company, or persons approved by it. Yet if that monopoly

monopoly be extinguished, the Company, in its present form, will probably soon cease to exist; indeed, without any interposition of Parliament, at the instance of your Committee it does not appear reasonable that a body incorporated for purposes so repugnant to commercial freedom should survive many years the general recognition of its importance.

"16. In the inevitable yielding of ancient systems to the wiser policy of a later age, all such bodies will probably disappear. Therefore, although several intelligent witnesses, examined before the Committee, have recommended that some member of the Watermen's Company should have a seat at the Conservancy Council, your Committee are unwilling to call in the co-operation of such a body to complete the Board. Fennings, 3742. Pillow, 4288. Sells, 5256, 5291. Towse, 5394, 5395. S. Smith, 5825

"17. If, as has been suggested, the number of the members of this Board be fixed at 33, there would, probably, in all, be 9 nominated members. Of them 3 would be selected by the Corporation of London, 2 by the Admiralty, 2 by the Board of Trade, and 2 by the Trinity House. There would then be 21 members to be determined by election.

"18. It is not easy to decide on the constituent body connected with the Thames by which these 21 members should be chosen. All direct contributors to the Conservancy Fund are, of course, entitled to be electors. It is a principle which pervades almost every form of government in England; it is just and right that those who contribute their money to any public purpose should have control over the persons by whom that money is expended. But is the franchise in question to be confined to the payers of tonnage rates on ships? If so, it would practically be nearly limited to the London shipowners, a body highly trustworthy, no doubt, but too contracted in numbers, and invested with an interest too special to monopolise such a franchise. Capper, 3134. Tindall, 5165. Thorp, 6042.

"19. But certain barge owners above bridge are also, in effect, contributors to the fund, and are therefore entitled to vote for representatives at the Board. The dues levied on barges above Kew seem to have been imposed originally merely to maintain the towing-paths, causeways, weirs, and locks necessary for barge navigation. But it appears by the accounts presented to Parliament that over and above the expenses so incurred, and the payment of the interest of the bonds of the upper navigation, there is an annual surplus, which is now paid over to the general fund of the Conservancy. These barge owners are, therefore, as much entitled to vote for representatives at the Board as the shipowners. There is in this tax upon barges, taken by itself, nothing objectionable except the partiality of its application. It does not affect all barges on the river, but only those plying on its upper waters. It should be levied equally on all. No species of craft on the Thames is more indebted to the supervision of the Conservators for safe and commodious navigation than barges and lighters. The removal of shoals and banks in the bed of the stream, the maintenance of an open waterway, the establishment of moorings, the enforcement of order and discipline, are all costly operations of great value to barges moving up and down the river, and such vessels should surely contribute their quota to the expense. The same observation applies also and with equal force to steamboats on the Thames. One of the best informed witnesses, an active member of the Conservancy Board, Mr. Thorpe, while admitting the valuable services thus rendered to these vessels, objected to taxing them for it, by saying that the Board had no occasion for larger funds. Capper, 3142. Thorp, 7254, 7256.

"20. Granting that all this is just, and that the capabilities of the Thames, as a navigable and commercial river, have been so perfectly ascertained and developed, that no expenditure more ample than the present can judiciously be applied to it; still the shipowners, who nearly alone provide for that expenditure, wish to have these dues reduced, and demand that others, who equally with them profit by the improved condition of the river, shall share with them the cost of effecting it. This redistribution of taxation would produce a constituency very similar to those which, under recent Acts, elect the Conservators of other navigable rivers. But such a system, it is feared, would hardly by itself satisfy public expectation on the Thames. Here is a great difficulty: Mr. Thorpe, whose views are entitled to great respect, says that the constituency ought to be as wide as possible. Other witnesses, who had evidently considered this subject with care, propose, among other persons, to give the franchise to all wharfingers and dock proprietors, as well as to all owners and occupiers of waterside premises on both sides of the Thames throughout the 80 miles of country between Staines and Yantlet Creek; a population certainly too numerous, too various, too much separated and dissociated to be moulded into an available practicable constituency, to say nothing of the difficulty attending the necessary test of qualification and construction of the registry. Capper, 3165. Thorp, 7223. Barry, 3612. Fennings, 3742.

"21. But after all, this vast community, though undoubtedly interested in the good management of the Thames, is not and could not easily be made contributory to its expenses. Even if the contributions of a body so numerous were required for revenue, how is the rate to be assessed, and how are assessments so various, and often so insignificant, to be collected?

"The whole subject is one of great difficulty, and your Committee hesitate to express any confident opinion respecting it. They respectfully submit it, with the evidence in the report, to the careful consideration of the Executive Government, and to the wisdom of Parliament.

"22. Closely connected with the management and preservation of the River Thames, is the subject of ballastage, which has also been referred to the examination of your Committee.

Pigott, 2417, 2418.

"23. The ballastage of the Thames is, by ancient charter and recent legislation, vested exclusively in the Trinity House. The Act 5 & 6 Vict. c. 47, gives to the Conservators the right, also enjoyed by the Trinity House, of dredging the river, as well as the power of regulating the dredging by the Trinity Corporation; but the latter alone is authorised by law to supply ballast to shipping in the Port of London.

Ib., 2420.

Strang, 5053, 5082. Tindall.

"24. There is, in the port of London, a demand for ballast, greatly exceeding what is known elsewhere. This arises chiefly from the bulky articles imported into London without any corresponding facility of similar exports. A ship, which, clearing from Liverpool, would generally take on board, for purposes of ballast, coals and salt, or which clearing from Glasgow, would load with coals and iron, is compelled to receive in the Port of London shingle or gravel, or other heavy material, to steady her in the water, or as it is called, to ballast her. In 1862, there was shipped in the Port of London as ballast, 202,915 tons of chalk, and 565,700 tons of shingle, in all 868,615 tons of material, for which the sum of 44,300*l.* was received in exchange, as what is termed ballastage, or payment for such ballast.

Pigott.

"25. It might be supposed that this extraordinary demand for ballast would have called forth in the commercial metropolis of the world some arrangements better than exist elsewhere for supplying it. Such would probably have been the case if the ballast trade in London had been left as elsewhere to the undisturbed operation of the laws of purchase and sale. But the ballast trade in London is a rigorous monopoly. No party but the Trinity House is permitted by law to supply ballast to shipping in this port.

Strang, 5033, 5034. 5036. Shelbourne, 4104. 4105, 4116, 4156. Tindall, 5176. 5218. 5225.

"26. Such being the law, your Committee have heard without astonishment, from the chairman of the Shipowners Association of London, and other competent witnesses, that the ballast supplied in the Thames is, comparatively, dear and bad, that valuable time is often needlessly lost in getting it on board ship, and that the conduct of the officers supplying it is little marked by alacrity and spirit of accommodation. These are the certain effects of monopoly in all its forms. The Act 6 & 7 Vict. c. 57, which confers this prerogative on the Trinity House expires next year. Your Committee is of opinion that it should not be renewed.

Farrer, 100.

"27. In the port of London as elsewhere, and for even stronger reasons than elsewhere, the shipowner should be perfectly at liberty to make his own bargains about ballast.

"28. It must not, however, be inferred that the change here contemplated would necessarily destroy the market for the disposal of ballast brought up from the bed of the river. The Conservators are bound in the discharge of their duty to provide for the removal of those shoals from which ballast is chiefly supplied, and such ballast would probably always be preferred by shipowners on the score of cheapness, to any brought from a distance.

"29. The Trinity House and the Conservators both occupy themselves with dredging the river. The Trinity House raises from its bed below bridge (to which district its authority is confined) those materials only which are useful as ballast; the Conservators, in the district from Staines to Yantlet, everything which obstructs the even form of the river channel. Both of these authorities maintain an independent and expensive establishment for doing that which would probably be done with greater efficiency and smaller cost by one of them. Now, as the jurisdiction of the Trinity House terminates westward with London Bridge, and as even within this jurisdiction its dredging operations are in complete subordination to the Conservancy Board, it would be better to vest in that Board the exclusive business and responsibility of dredging. None but the Conservancy officers, or those acting under their special direction and control, should be permitted to touch the bed of the river. It may perhaps be questioned whether the practical operation of dredging should be executed by the Board's officers, or whether contractors working under the appointment and careful supervision of these officers would not perform the business cheaper, better, and more satisfactorily. It is to be remarked that this latter system is in practical operation above bridge. There the dredging for sand and ballast is executed by private enterprise, licensed, directed, and regulated by the Conservators. The result is in most respects satisfactory. A limited amount of shoal and of sand bank is annually removed, and the Conservators, unencumbered with the expense of machinery and workmen, receive between 800*l.* and 900*l.* per annum for the permission which they grant to others to improve the bed of the river. It is true that the condition of the Channel above bridge is not a subject of commendation. Mr. Walker, the engineer, in the careful Report which he made in 1841, to the City of London on the state of the Thames, pronounced the condition of all that part of the Conservators' jurisdiction as 'discreditable.' Since Mr. Walker made that protest very little has been effected to remedy the evil which he denounced; some improvements have been made about Teddington Lock, but the rest of the river above bridge seems still to merit, whatever may be the cause, the censure of the official engineer. It is probable that the ballastage monopoly of the Trinity House which prohibits the sale to shipowners of the shingle

Thorp, 7292.

shingle and gravel raised there, and limits the market for such materials to builders and contractors, has operated powerfully to prevent the removal of the shoals, and that the waterway above bridge would soon undergo important amelioration if the sale of ballast on the river were free. It is the opinion of your Committee that under a system of free competition for ballast in the port of London, the price of it would be reduced and the quality improved.

"30. Between the years 1854 and 1862 there was in the hands of the Trinity House an average net profit of 3,124 *l.* on account of ballastage. But of this sum deduction has to be made on account of the share of general expenses of the Trinity House, which is due to superintending ballastage. The money was paid over to the Mercantile Marine Fund, to be disposed of under the control of the Board of Trade, as the Merchant Shipping Act, 1853, directs, and as we will proceed to explain. Pigott, 2478. Farrer, 100.

"31. Previous to this Act, the profits of ballastage were disposed of by the Trinity House in charitable distribution as ordered by the Statute of Charles II. In 1853, Parliament was of opinion that funds ought not to be raised from such a source for such purposes, and the distribution was therefore directed to cease. It was necessary, however, to provide, during their lives, for all the former recipients of this bounty. To these objects the balance has been applied, and in any changes on the subject of ballastage which Parliament may hereafter direct, these obligations must of course be kept in view.

"32. But there is another class of persons whose position, under such a change, also requires to be noticed; the ballast-heavers of London. The Trinity House has acted towards these obscure labouring men with a degree of painstaking sympathy not always to be heard of in the routine of official occupation, and a remarkable petition from a body of them having been referred by the House to your Committee, it seems right to make a special allusion to their case. Farrer, 103. Pigott, 2538. Cory, 4762.

"33. Ballast-heavers are labourers who, in the Port of London, transfer from lighters to ships needing ballast the heavy materials called by that name. Theirs is among the most laborious toil to which working men can devote themselves. In the River Thames there are 418 of these men regularly employed. Pigott, 2497.

"34. Up to the year 1853 the Thames ballast-heavers, by one of those necessities which, in a populous country, can sometimes be created, could obtain employment only through the agency of certain waterside publicans, and these publicans would furnish it only on condition that the greater part of each man's earnings was left with them in payment for drink. *See* Petition of Ballast-heavers.

"35. The consequence may be partly imagined. Daily intoxication became the enforced condition of their existence, and, under such compulsion, the state of these poor men, their wives and children, was a subject as calculated to awaken strong compassion as anything which the history of human suffering has ever exhibited.

"36. The Trinity House, under the wise and humane council of its illustrious Master, the late Prince Consort, came to their relief. The Society itself assumed the office of middleman between the shipowners and the ballast-heavers. They undertook to supply the ships with ballast-heaving at a rate far below that of the publicans. They thus rescued these unfortunate beings almost in a body from the slavery of the dram-shops, secured to them in full measure the fruits of their industry, and placed in their way every inducement to independence and self-respect. It is right to the men to remark, that this generous labour has not been lost. Your Committee trust that whatever changes the Legislature may institute in the ballastage of the Thames, these beneficent arrangements will be preserved and perpetuated; nor do they anticipate any insuperable difficulty in the way. Even under a system of free trade, the Conservancy Board will generally command the ballast market by the comparative cheapness and readiness with which they can always supply it. Pigott, 2538.

"37. Your Committee will pass on to another subject referred to their consideration; the buoys, beacons, and lights of the River Thames, all of which are, of course, within the limits of the Port of London. The Trinity House seems to be charged by law with the proper maintenance of these aids to navigation, and the Conservators of the River have also the same duty. It is stated, in evidence, that little or no practical inconvenience has hitherto arisen from this apparently conflicting jurisdiction. A double administration like this, however, seems well calculated to produce misunderstanding, while it can be for no good purpose whatever. There can be no advantage in charging two separate parties with duties which one of them is fully competent to perform. Farrer, 127.

"38. Your Committee recommend that in future the buoyage and beaconage of the Thames be confided to the Conservators alone; that the Trinity House be released from all attention to them. On the other hand, the Trinity House, which has charge of the lighthouses on the coast, which has so large an experience in their management, and which maintains them so well, would, with great advantage to the public, assume the care of the few lights on the Thames now in the hands of the Conservators.

"39. Your Committee have already adverted to the singular control over the traffic and navigation of the Thames assigned by law to the Watermen's Company. This Com- Humphreys, 2236. 2240.

pany has jurisdiction over all boats, barges, and vessels plying between Teddington and Gravesend; and over all such craft discharging between these two points, from whatever part of the river they may start, a freeman of the Watermen's Company, or some one formally authorised by it, must be engaged by the proprietor to assist the navigation of even the smallest boat plying for hire on the Thames between these two towns.

Pillow, 4309. Downey, 4985. Shelbourne, 4273.

"40. As far as your Committee can learn, no such interference with free navigation exists on any other river in the empire, and it is much complained of on the Thames. Some of the witnesses examined before the Committee, alleged the vast amount of traffic on the Thames as a valid reason for maintaining on the river such interference with the freedom of labour. This reason, however, is far from conclusive. Vessels coming from without the jurisdiction of the Company and discharging beyond it, are free to pass through the whole space between Teddington and Gravesend without any interference of the Watermen's Company. Such vessels may be navigated by whomsoever the owner may employ for that purpose, and it is not alleged that any danger ensues from the freedom. It is only when they proceed part of the way that it is held necessary to take extraordinary precautions for their management and safety.

Humphreys, 2242.

"41. Your Committee believe that the self-interest of individuals in the care of their property, is a better guarantee for safe and prudent navigation than a thousand Acts of Parliament; and that this principle, which in all the other rivers, ports, and harbours of the country, compels those who need the services of watermen to avoid employing unsafe and incompetent persons, will exercise an equally salutary influence on the River Thames. They therefore recommend that without interfering further with the vested rights of the Watermen's Company, all owners of vessels, including barges and lighters on the Thames, may be enabled to employ those only whom they please to navigate them, and that the sanction of the ancient corporations may no longer be necessary to that purpose.

"42. All vessels on the River Thames must, of course, be amenable to the bye-laws of the Conservancy Board, the only proper guardians of its navigation; and if restraint on the employment of improper persons be necessary, it should be confined to excluding from the right to navigate vessels on the river, such persons as by misconduct or incompetency prove themselves dangerous to others.

"43. It appears by the Journals of the House, that a Bill entitled the Thames Conservancy Amendment Bill, for granting to the Board additional powers, was on the 11th of February last introduced into the House and read a first time, and that on the 19th of February, on the motion to read it a second time, the Bill was, after a debate, rejected without a division. The House seemed on that occasion to intimate an opinion; not that additional powers were unnecessary for the due execution of the duties of the Conservancy, but that it was inexpedient to grant any such powers, until an inquiry had been instituted by the House into the constitution and proceedings of the Board. Your Committee has now completed such inquiry; they think that though duties of the Conservancy have been well executed, the constitution of the Board should undergo the modification which they have pointed out, and that supplemental powers should then be entrusted to the Board, to enable it effectually to execute the trust which Parliament has committed to it.

Turnley, 4575. 4577.

"44. Considerable alarm has been felt by the owners of certain bonds lawfully issued by the Corporation of London as Conservators of the river on the security of specified barge dues. They supposed that the present Conservators repudiated their liability for these bonds, and they had ascertained by proceedings at law that the City of London is no longer responsible for them. The bonds represent an aggregate value of 148,000 *l.*

Thorp, 7015, 7016.

"45. There is no doubt that when Parliament handed over all the assets of the late Conservators to a new Board, it designed to hand over at the same time all their liabilities, including the bonds. Mr. Thorpe, the deputy chairman of the Conservancy Board, seemed to consider that such was in fact the effect of the Act of Parliament. But it is not fitting that any doubt should be thrown on the subject; and your Committee therefore recommend that the first opportunity should be taken to establish by a statutory declaration the legal rights of these bondholders."

Draft Report read 2°, paragraph by paragraph.

Paragraphs 1—6 agreed to, with amendments.

Paragraph 7.—Amendments made.—Amendment proposed, to leave out the words, "and landing-places," line 11—(Mr. *Locke*).—Question put, That those words stand part of the paragraph.—The Committee divided:

Ayes, 4.	Noes, 2.
Mr. Joseph Ewart.	Mr. Alderman Salomons.
Mr. Lindsay.	Mr. Locke.
Mr. Blackburn.	
Mr. Hankey.	

Another

Another Amendment proposed, to leave out the words, "not only," line 11—(Mr. Alderman *Salomons*).—Question put, That the words, "not only" stand part of the paragraph.—The Committee divided:

Ayes, 4.	Noes, 2.
Mr. Joseph Ewart.	Mr. Alderman Salomons.
Mr. Lindsay.	Mr. Locke.
Mr. Blackburn.	
Mr. Hankey.	

Another Amendment proposed, after the words, "but have," line 12, to insert the words, "in many instances"—(Mr. *Locke*).—Question put, That those words be there inserted.—The Committee divided:

Aye, 1.	Noes, 5.
Mr. Locke.	Mr. Joseph Ewart.
	Mr. Alderman Salomons.
	Mr. Lindsay.
	Mr. Blackburn.
	Mr. Hankey.

Other Amendments made.—Paragraph, as amended, agreed to.

Paragraph 8.—Question put, That this paragraph stand part of the proposed Report.—The Committee divided:

Ayes, 3.	Noes, 3.
Mr. Joseph Ewart.	Mr. Alderman Salomons.
Mr. Lindsay.	Mr. Locke.
Mr. Blackburn.	Mr. Hankey.

Whereupon, the Chairman declared himself with the Ayes.

Paragraphs 9—13 agreed to, with amendments.

Paragraph 14.—Amendments made.—Amendment proposed, to leave out the word "three" line 12 in order to insert the word "six"—(Mr. Alderman *Salomons*)—instead thereof.—Question put, That the word "three" stand part of the paragraph.—The Committee divided:

Ayes, 4.	Noes, 2.
Mr. Joseph Ewart.	Mr. Alderman Salomons.
Mr. Locke.	Mr. Blackburn.
Mr. Lindsay.	
Mr. Hankey.	

Paragraph, as amended, agreed to.

Paragraph 15.—Amendments made.—Question put, That this paragraph, as amended, stand part of the proposed Report.—The Committee divided:

Ayes, 5.	Noes, 2.
Mr. Joseph Ewart.	Mr. Alderman Salomons.
Mr. Cave.	Mr. Locke.
Mr. Lindsay.	
Mr. Blackburn.	
Mr. Hankey.	

Paragraph 16.—Amendments made.—Paragraph, as amended, agreed to.

Paragraph 17.—Amendments made.—Amendment proposed, to add the words "and that the Lord Mayor be an *ex officio* member of the Board"—(Mr. Alderman *Salomons*)—at the end of the paragraph.—Question put, That those words be there added.—The Committee divided:

Aye, 1.	Noes, 6.
Mr. Alderman Salomons.	Mr. Joseph Ewart.
	Mr. Locke.
	Mr. Cave.
	Mr. Lindsay.
	Mr. Blackburn.

Paragraph, as amended, agreed to.

Remaining paragraphs agreed to, with amendments.

Question, That this Report be the Report of the Committee to the House, put, and agreed to.

Ordered, to Report, together with the Minutes of Evidence and Appendix.

MEMORANDUM.—EXPENSES OF THE COMMITTEE.

No expenses were paid to any witness, but the sum of 14 *l.* was paid to Mr. David Steers for refreshments provided by him for 28 persons on the occasion of the Committee proceeding down the River Thames by steamer.

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

Lunæ, 27° die Aprilis, 1863.

MEMBERS PRESENT:

Mr. Cave.
Mr. William Cubitt.
Sir John Hanmer.
Mr. Richard Hodgson.
Mr. Hutt.
Mr. Lindsay.
Mr. Locke.
Mr. Longfield.
The Lord Mayor of London.
Mr. Alderman Salomons.
Mr. Somes.

THE RIGHT HONOURABLE W. HUTT, IN THE CHAIR.

THOMAS HENRY FARRER, Esq., called in; and Examined.

T. H. Farrer, Esq.
27 April 1863.

1. *Chairman.*] ARE you Assistant Secretary to the Board of Trade, in the Marine Department, and have you held that appointment some time?—Yes.

2. Has your attention been directed, officially and otherwise, to the various measures which have been adopted and considered by Parliament for promoting the trade and commerce of our great commercial rivers, including the River Thames?—Yes.

3. Will you state to the Committee what is the law regulating the matters involved in the management of the Thames, taking the order in which it would be more convenient to consider those various matters?—I have, with reference to this Committee, gone through some of the acts and public documents relating to the River Thames; and I propose to give an outline of the principal points in those Acts and documents in the following order: taking, first, the subject of conservancy; second, the subject of ballastage; third, the subject of buoyage and lighterage; and fourth, the regulations which govern watermen and lightermen, and small traffic upon the river. I would propose to take those several points separately, as the clearest way. There is very considerable confusion and difficulty in getting at a proper arrangement, there are so many different bodies, and so many different Acts of Parliament. Having first taken each of these subjects separately, I propose to point out how the law stands upon the whole, and in the last place to point out what has been done in the case of other estuaries and harbours by Parliament of late years, so far as it throws any light upon general principles which may be observed in these cases.

4. In whom was the conservancy of the Thames vested previous to the year 1857?—The conservancy of the Thames was vested in the City of London.

5. Mr. Alderman *Salomons.*] You mean the Corporation of London?—The Corporation of London.

6. *Chairman.*] What were the limits of the jurisdiction of the Corporation of London?—The limits were from Staines to Yantlet Creek.

7. Where is Yantlet Creek?—I believe it is near the entrance of the Medway.

8. At Southend?—Yes, I think so.

9. Was the whole of that section of the river under one system of management?—No, I believe there was a distinction between the above-bridge jurisdiction and the below-bridge jurisdiction.

10. Were separate accounts kept?—I believe there were separate accounts kept of the funds derived from the tolls on the several parts of the jurisdiction, and these funds were applied for the purposes of the different jurisdictions separately; they were appropriated to the different jurisdictions.

11. The City, I believe, had the conservancy by ancient grant and immemorial usage?—I believe so.

12. Have there since been several Acts of Parliament giving the Corporation separate powers with respect to the conservancy?—Yes, several, which are recited in the preamble of the Act of 1857.

13. That supersedes them all, I suppose?—No; it does not repeal those Acts, it transfers the powers to the new body, it does not repeal all the old Acts, it is not a Consolidation Act; for instance, the tonnage dues which the city previously took for navigating below bridge, are still taken under an old Act.

14. Did the conservancy of the Thames, as

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administered by the Corporation, give entire satisfaction, or has there been within the last 30 years any Parliamentary inquiry into it, upon the allegation of insufficiency?—There was a Committee of the House of Commons upon it in 1836.

15. In the Report of that Committee, and in the evidence that was adduced before it, do you find any matter that is interesting as regards the present inquiry?—I would propose to read the Report of that Committee. I think it would be scarcely necessary to go into any detail of the evidence that was taken before it; for one reason among others, that a good many of the points to which that Committee's attention was principally directed, would seem to have been altered and amended since that time; some have not. The following are the first four paragraphs of the Report of that Committee. The others are less material.

"First, that it appears to this Committee that the navigation of the River Thames in the port of London has for a great length of time been subjected to serious obstructions by which the marine approach to the Metropolis has been impeded, the shipping exposed to injury and needless detention, and that frequent accidents have occurred, several of which were attended with loss of human life.

"Secondly, that these obstructions have been produced by the crowded state of the river, arising from the greatly increased and still increasing traffic, and shipping frequenting the port, by the introduction of steam navigation, and especially by the collier tiers stationed in the Pool, and the ill-regulated manner in which colliers have been permitted to be at anchor in the stream, by shoals and banks which present impediment to the navigation, and finally by the want of an efficient supervision and a more effective execution of the harbour service; and that although it appears to this Committee that since the period at which they commenced their inquiries, an improvement in the last respect has taken place, yet they conceive that the public have no adequate security against its recurrence.

"Thirdly, that this Committee are of opinion that the various conflicting jurisdictions, and claims of the Admiralty, the Trinity House, and the Corporation of the City of London, over the River Thames below the bridges, have had a most injurious effect upon the interests of navigation, and that it is desirable that they should be consolidated and vested in some one responsible body, and that means should be found to provide for the removal of shoals and obstructions in the bed of the river.

"Fourthly, that considering the magnitude of the interests involved, and the pressing necessity of remedial regulations under legislative authority, by which accidents on the river may be provided against, additional security to property afloat afforded, and the commerce and navigation of the port of London preserved and promoted, the Committee recommend that a copy of the Minutes of Evidence taken before them, and of the papers connected with this inquiry, be referred to the Right Honourable the Lords of the Committee of His Majesty's Privy Council of Trade, with the view that a Bill may be prepared under the authority of His Majesty's Government for consolidating, enlarging, and amending the laws for rendering more commodious, and better regulating the port of London, and to embrace the various amendments, and improved regulations required, and that such Bill be submitted to Parliament early in the ensuing Session."

16. *Chairman.*] Was any measure adopted by Parliament in conformity with the recommendation of that Committee?—I believe not.

17. They vested, I believe, the management of the port of London in the Court of Conservancy?—The management of the jurisdiction of the City over the river, was exercised by a Committee of the Common Council. A full account of it is given in the Report of the Commission appointed to inquire into the Corporation of the City of London, which reported in 1854.

18. Do you remember in what terms?—It is at page 26 of the City of London Corporation Report, of 1854 (*reading*): "The Corporation of London likewise exercise another important right, which far exceeds the limits of the City, but which does not produce to them any net revenue, namely, that of conservancy of the Thames. The Mayor of London is, by ancient grants of the Crown and long-continued usage, conservator of the River Thames from the bridge of Staines to the waters of Yantlet and Medway. The powers and duties of conservancy are divided into two branches, those above and those below London Bridge. Both classes of powers are regulated by various Acts of Parliament; they are exercised by a Committee of the Common Council, called the 'Thames Navigation Committee,' and by several officers appointed by the Corporation. The conservancy of the river has been already a subject of Parliamentary investigation, and many opinions respecting it were expressed by the witnesses whose evidence we received. It appears to us that the management of the navigation of the Thames from Staines to Yantlet Creek, including the regulation of the port of London, is not in harmony with the ordinary municipal duties of a Committee of the Common Council, and that it requires an access to more extensive interests, and a greater command of technical knowledge than they possess. We therefore recommend that the principal control of the navigation of the Thames should be vested in a Board composed of the Lord Mayor, the First Lord of the Admiralty, the President of the Board of Trade, the First Commissioner of Woods, and the Deputy Master of the Trinity House, and that they be empowered to employ persons having the requisite professional knowledge for performing the detailed administration. In order that these duties should be efficiently discharged, it would be necessary that the Thames Navigation Board should have an adequate fund at its disposal. The sum applicable to the harbour and port of London in 1852, from tonnage rates and interest on stock, was 19,476 *l.* The tonnage rates now leviable on vessels in the port of London are moderate; but the sum which they produce seems hardly sufficient for the due maintenance of the port. A suit is now pending between the Crown and the Corporation respecting the ownership of the bed of the river between high and low-water mark; but it appears that the Crown have agreed to grant its rights to the Corporation on condition that the money obtained by grants of land on the shores of the river be applied wholly or in part to the improvement of the navigation. In case the fund applicable to the maintenance of the port of London, notwithstanding

standing the assistance derived from the rent of erections on the shores of the river, should be found insufficient, it might be desirable to increase the rates of the tonnage due for this purpose."

19. Mr. Alderman *Salomons.*] In what year was that?—In the year 1854.

20. There was an allusion, I think, made to the year 1851?—I am not sure to what the question relates. There was a second report of the Municipal Corporation Commission in 1837, referring to the City of London. But that Commission did nothing more, so far as the conservancy of the Thames was concerned, than refer to the Report of the Committee of the House of Commons of 1836.

21. Mr. *Locke.*] Then what Report is this in 1854?—The Report of the Commission on the City of London, consisting of the late Sir George Lewis, Lord Taunton, and Mr. Justice Patteson.

22. Then the one in 1857?—In 1837; that is the second Report of the Municipal Corporation Commission; they said the subject of the conservancy had so recently undergone investigation before a Committee of the House of Commons, that it was not necessary for them to deal with it.

23. The second Report of the Corporation Commissioners applies to London only, I believe?—Yes.

24. Then, in 1857, there was another inquiry under Sir George Lewis?—In 1854, by Sir George Lewis, Lord Taunton, and Mr. Justice Patteson.

25. Mr. Alderman *Salomons.*] That was a special inquiry as to the Corporation of London, was it not?—Quite so.

26. *Chairman.*] The chief points of that recommendation which you have read from the Report on the City of London were, that there should be a special power in the Conservators, and that they should be invested with responsibility?—Quite so; that there should be one single body.

27. How far was that recommendation complied with by the Legislature in 1857?—I think it would be desirable to state how that Act arose, after the Report of 1854.

28. Will you give us the circumstances which led to the passing of the Act of 1854?—The Act of 1857. There was a long litigation between the Corporation of London and the Crown with regard to the rights in the bed of the Thames. That litigation commenced in 1844; in the year 1856, after a great many interlocutory proceedings, a compromise was come to on the subject of that dispute, and I believe that the Act of 1857 arose out of that compromise.

29. Will you briefly state to the Committee the terms of the compromise between the Corporation of London and the Crown?—The nature of the agreement was this: the suit was to be put an end to, and the Crown was to grant the soil of the river to the City; the City was to account for the rent and purchase-money, and to pay one-third of any profit which they might derive from the soil to the Crown, and apply the remaining two-thirds for the purposes of the navigation. In such cases, where they made grants of the soil, the price that was given was to be approved by a valuer, who was to be approved by the Woods and Forests. The Crown did grant the soil accordingly in February 1857, and then the Act was passed. The Act recites both the agreement and the grant of the soil.

30. Sir *John Hanmer.*] Does the Crown apply any portion of its receipts to the improvements of the river?—Not that I am aware of.

31. *Chairman.*] Do you know whether the Crown entertained the idea of renouncing their one-third of the rents and proceeds?—That I cannot tell, except from that passage which I have just read from the Report of the Corporation. In that passage it is stated that the Crown was willing to give up any revenue on condition that it was applied to the purposes of the navigation. I know nothing further about it.

32. The retention of that right by the Crown of course involves the necessity of a corresponding amount of taxation on the commerce of the river?—Of course, if that amount which was paid to the Crown was paid to the conservancy fund it would go either to improve the river, or be applied in alleviation of taxation.

33. Did the Board of Trade make any report upon that Act of 1857?—They did.

34. Will you state the chief points of that Report?—In the first place, it contained an analysis of the Bill. That analysis I have corrected so as to be an analysis of the Act as it passed. I have an analysis of the Act, which I will put in *in extenso* with other memoranda, containing references to the Acts of Parliament and other official documents. I might perhaps here mention, that the chief features in the Act were, that it constituted the Conservancy Board, which was to consist of the Lord Mayor, two Aldermen chosen by the Common Council, the Deputy Master of the Trinity House for the time being, two persons appointed by the Admiralty, one by the Board of Trade, and one by the Trinity House. It gave them very considerable powers for the improvement of the river; it vested the whole funds specially in them, and contained a number of detailed provisions with respect to the conservancy.

35. Will you state the chief points in the provisions of that Bill?—The Bill, or rather the Act, puts an end to the suit; it provides for the constitution of the new Conservancy Board in the manner I have mentioned. It then gives them the following powers, viz: "To make bye-laws for the management and improvement of the river; for the exhibition of lights by vessels, and for the regulation of vessels and timber on the river: to license landowners to make docks, wharfs, &c.: to license the making of, and to alter and remove piers and landing-places: to make, manage, take tolls for, and lease piers and landing-places: to enforce, alter, and lease their several tolls: to appoint harbour-masters, who are to be approved by the Trinity House as being properly qualified: to give superannuations: to remove obstructions: to remove sunken vessels: to place buoys and beacons: to lay down mooring-chains: to repair wharfs and banks: to dredge and remove shoals: and to shorten and remove bends, and to improve the river: to establish Humane Society's apparatus: to prevent ballast and rubbish from being thrown into the Thames, and also to prevent offensive matter from flowing into the Thames. The bed of the Thames, except where adjacent to land belonging to the Crown, is vested in the conservators; not in the City, as it was by this grant from the Crown. No works below high-water mark are to be executed without the approval of the Admiralty. No licenses to encroach on, or embank any part of the river, are to be granted unless the rent, or other compen-

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sation for the same is settled by a person appointed by the Conservators and approved by one of the Commissioners of the Woods and Forests; and one-third of the revenue received from such licenses, &c. is reserved to the Crown. The Conservators are enabled to require the Trinity House, on being paid the expenses incurred, to remove shoals, and to prevent the Trinity House from taking ballast in improper places. The Conservators are empowered to purchase lands by agreement. All tolls theretofore levied by the City of London, for the maintenance and improvement of the navigation of the Thames, also all profits from lands vested in the City for purposes of navigation, and all monies received by the conservators under the Act, are to be carried to a conservancy fund. Whenever it is a surplus it is to be applied, first, in payment of debt, then in reduction of tolls; and if there is still a surplus, as Parliament may direct. The Conservators are empowered to raise 100,000*l.* on the credit of their revenues. Provision is made for settling and auditing the accounts. Annual accounts are to be laid before Parliament."

36. Mr. Alderman *Salomons.*] These in fact are the heads of the Act?—Yes, the most important of them.

37. *Chairman.*] How was the Conservancy Board appointed?—As I have mentioned, it was to consist of the Lord Mayor, two Aldermen, chosen by the Common Council, four members of the Common Council, elected by the Common Council, the Deputy Master of the Trinity House, for the time being, two persons appointed by the Admiralty, one by the Board of Trade, and one by the Trinity House.

38. Then the Corporation of London appointed seven; two were appointed by the Trinity House, and two by the Executive Government?—That is so, except that those appointed by the Government were three, not two.

39. Mr. Alderman *Salomons.*] Have they not the supreme government of the river without interference from anybody whatever?—I think you will find that is not the case, because their powers are limited in many respects.

40. But according to that very Act they comply with the recommendation of the Commissioners in Parliament, that the whole of the conservancy of the Thames should be under one body of management, having all powers necessary for that purpose; is not that so?—They have the powers that are specified in the Act, and they have the powers that were previously passed by the City of London; but there are other bodies who also possess considerable powers which prevent the powers of the Conservators from being complete.

41. As far as the constitution of that body goes, as Conservators, were they not the supreme governing body; and could they be over-ruled by anyone?—Overruling and interfering are two different things. The only power that there is to overrule them, is the power of the Admiralty to refuse their consent to anything which the Commissioners might propose with regard to the bed of the river. According to the general law which Parliament is in the habit of applying to all works in tidal waters, no erection on the river can be made without the consent of the Admiralty.

42. Mr. *Longfield.*] The official powers of the Corporation are not contested, are they?—The fishery powers? I cannot say. The words of the clause (52) transferring the City's powers are very large; but I do not know if they are held to transfer a power over fisheries.

43. Mr. Alderman *Salomons.*] Was not that question tried at law, and did not the court decide that the official powers were not transferred?—I cannot say. I am afraid of trespassing on the time of the Committee in going so fully into the clauses of this Act; but it may be important to state, that there are at the end of this Act about 20 saving clauses of different persons' rights; there is a saving of the rights of Queen's Ships, Trinity House, Commissioners of Sewers, Board of Works, Dock Companies', Waterman's Company, Abbey Mill River, Commissioners of Works, Queen's rights in Medway, Corporation's ditto, Duchy of Cornwall, Duchy of Lancaster, Middle and Inner Temple, Marquis of Salisbury, Regent's Canal Company, trustees of the River Lea, rights of owners and occupiers of land on the banks of the river, and rights of ferry. All those rights are saved in general terms. What the effect of these clauses may be is a very difficult question. General saving clauses of this kind are very hard to understand, and often do either more or less than was intended.

44. *Chairman.*] Did the constitution of the Conservancy Board, as you find it described in the Act of Parliament, comprise the principle of responsibility which has been recommended by the Commissioners?—It is very difficult to say to whom the Conservators as a body are responsible; the City of London appoint a majority, and I presume they are so far responsible to the City of London that the City could displace them; they are not responsible to those whose rights they manage, namely the traders upon the river: and it is quite obvious from the constitution of this Board that the Executive Government cannot in any way be responsible for them; therefore there is neither direct responsibility to those whose interests are affected, nor is there responsibility on the part of the Executive Government.

45. One member is appointed by the Board of Trade, I believe?—Yes, but the Board of Trade do not consider themselves in the least responsible for any acts of the Conservators, for they have no power over them.

46. Would the one member who is appointed by the Board of Trade consult the President of the Board of Trade, in regard to the requirements of the Board?—Certainly not.

47. Then in fact there seems to be no direct responsibility of any kind?—As far as I can judge there is no direct responsibility. Before leaving the subject of this Act, I think it may be desirable to point out, that in the Bill as it was introduced there were two clauses, providing that the rights of the City of London and the rights of the Crown should revive if the Act was ever repealed; viz. clauses 168 and 169 in the Bill. Those two clauses were struck out during the passage of the Bill.

48. Mr. *Locke.*] Were they struck out as being unnecessary?—I cannot tell the reason; I only know the fact.

49. As a matter of course, they would revive if the Act were repealed, would they not?—Not necessarily; for instance, if Parliament should, in repealing the Act, make some other arrangement. The clauses were rather peculiar, and might have been relied on as a sort of contract that no such new arrangement should be made. No doubt if the

the Act were simply repealed the old rights would revive; but if the repeal were accompanied by transfer of the rights to a new body, they would not. Now the clauses I refer to would have raised a question whether, under that contract or arrangement, the Act could properly have been repealed without placing the parties in their original position; at least it seems to me that such an argument might have been raised upon those clauses.

50. *The Lord Mayor of London.*] That you assume to be the position of things; those clauses being struck out as unnecessary?—I do not say that they were struck out as being unnecessary; I say that I do not know what the reason was for striking them out.

51. *Chairman.*] But they were in the original Bill, and they are not in the Act of Parliament now?—Yes.

52. Mr. Alderman *Salomons.*] I do not quite understand your case with regard to the responsibility. There are three Government departments represented on the Conservancy Board: the Board of Trade, the Admiralty, and the Trinity House; could not either representative report to his Board if there was anything to complain of?—He might report, but if he did, what could his Board do?

53. Mr. *Locke.*] What is the description of responsibility that you allude to?—In most cases harbours are managed by persons chosen by those who have an interest in the business which the body is to manage; in that case they are of course directly responsible to their own constituents, and their own constituents could displace them, they being the persons interested in the management of the business. In this case I do not see anything of that kind.

54. Mr. *Cave.*] The Board of Trade is in fact responsible for the persons they select?—They are responsible only for putting good men in the post. I have been asked whether the Conservators have a supreme authority. Now, with regard to that, in the first place, as to ballastage in the Thames, they have not the supreme authority, because the monopoly of the taking of ballast from the bed of the River Thames belongs to the Trinity House; again, with regard to buoys and beacons, I do not know exactly what the legal construction of the different Acts may be, but the 88th section of this Act gives to the Conservators powers of putting up buoys and beacons, and the Trinity House have claimed and exercised the power of putting up buoys and beacons too. Then as regards traffic on the river, the Waterman's Company have certain powers of regulating the small craft, and those powers are, *pro tanto*, in diminution of the powers which, if the authority of the Conservators were supreme and complete, they would exercise, and which appear to be contemplated in the powers of making bye-laws contained in the 44th section of their Act.

55. Is there anything in the reports which have been laid before Parliament to which you think it will be well to call the attention of the Committee?—Those reports are, themselves, before the Committee, therefore it is needless to do more than refer to them.

56. Mr. Alderman *Salomons.*] Have you any later reports than the printed reports before Parliament, because they only come down to 1861?—There is one which was printed in 1862, I have not any later one than that. The reports, I should mention, give the receipts and expenditure of the Conservancy Board in full. The only point to which I would refer, is a passage in pages 2 and 3 of the Conservators' First Report for 1858, which I will read. The report first states that the Conservators have laid down buoys. It then proceeds as follows:—

"The heavy expense of the lighterage of material raised by the dredger, and of unloading and disposing of the same (whatever the quality may be), is a subject which requires the serious consideration of the Conservators.

"The Trinity House alone is permitted to supply ballast to ships, and to grant licenses to dredge eastward of London Bridge; the only purposes to which the material raised by the Conservators can be applied, are for embankments and brick-making, and in most cases the Conservators are obliged to pay persons to take the material.

"There having been many casualties by collision in Gravesend Reach, the Conservators have, with a view to obviate a recurrence of such accidents, made arrangements for erecting conspicuous landmarks and lights, by which masters and pilots of vessels navigating that reach by day and by night may be guided with reference to the limits of anchorage off Gravesend, and the fair-way channel in which their ships are to be navigated."

This passage illustrates the conflict of jurisdictions of which I have spoken. It shows that the Conservators have been lighting, buoying, and beaconing the river, whilst we know from other sources that the Trinity House do so too. It also shows that whilst the Conservators dredge ballast, they are put to additional expense on account of the Trinity House monopoly, which prevents them from selling what they have dredged.

57. *Chairman.*] What is the average income of the Conservators?—About 40,000*l.* a year.

58. Did that Act of Parliament create any conflicting jurisdiction on the Thames?—If it did not create, it continued the conflict of jurisdictions. In those points to which I have referred, namely, in the matter of ballastage, and in the matter of buoys and beacons, and in the regulation of the traffic on the river, there certainly is now under this Act and other Acts, if not conflicting jurisdiction, at any rate there is a sort of double jurisdiction on the Thames.

59. A sort of confused jurisdiction?—Yes.

60. Mr. *Locke.*] Did not that exist before, when the Corporation were Conservators of the Thames?—Certainly; but this Act created, did not remove it.

61. Mr. Alderman *Salomons.*] You have been asked some questions with regard to what took place before the Act of 1857. I believe there were great complaints formerly, that the river was very much impeded by the tiers of shipping, and there was not fair room for the navigation of the river; was not the object of the Commission of 1836 to get a clear water-way through the Pool, for the shipping going up and down, particularly for steamboats?—I think that, and the removing of shoals, seems to have been the chief object of the complaint.

62. And also to regulate the speed of steamboats?—Apparently that was the chief object.

63. The Committee of 1836 was with that object, you say?—I believe so, in the main. But in dealing with those objects the Committee made general recommendations.

64. And the Act of 1857 was with a view to give

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effect to the arrangements that had been made between the Crown and the City of London?—As far as I can judge, or as far as I know, it seems to have been so.

65. I believe the Act declares it to be so; and the City of London paid 5,000 *l.* as back pay, by way of compensation to the Crown, did they not?—Yes.

66. I suppose it is quite evident that the settlement of 1857, creating the new Conservancy Board, has not given satisfaction?—That is more than I can speak to, except from such general knowledge as every one has.

67. I suppose there would not have been this inquiry if everybody had been content and satisfied?—The Committee will learn this better from those who are practically interested; I can only speak with confidence as to what the law is.

68. Are you not aware that when this state of things commenced, when the Crown commenced the suit, not a single pile could be driven into the bed of the Thames without the leave of the Crown?—According to the evidence of Mr. Pemberton and of the City lawyers before the City Commission, the arrangement that was made whilst the suit was pending was, that whenever the City gave a license to do anything of the kind, they should give notice to the Crown, and that the Crown should have the opportunity of objecting in the Court of Chancery. It was also stated, I think, that notice was always given, and that no objection was ever made.

69. Did not that state of things at any rate leave the River Thames in a most unsatisfactory condition?—No doubt.

70. Was it not one of the conditions that the Mayor, Commonalty, and Citizens of London should not, as of right, license the driving of piles in the river; did not a very unsatisfactory state of the river arise from the contention between the Crown and the City, not alone as to the bed and soil, but from the collateral circumstances arising out of that dispute?—Yes. The object of the arrangement, no doubt, was, to prevent the City during the suit, from doing acts which savoured of ownership of the soil.

71. I suppose a Board composed of a certain portion of the citizens of London, and the heads of Departments was thought to be one that would be satisfactory to the public, and would work well?—I know nothing of what was thought, except in my own office; it was not thought so in the Board of Trade.

72. Was not the power of the Government of the river entirely taken out of the hands of the Corporation, and vested in the Board?—Yes.

73. Mr. *Locke.*] Have there not been complaints to the Board of Trade, with respect to the present system of the Thames conservancy?—There has been a deputation to the Board of Trade complaining of it.

74. *The Lord Mayor of London.*] From whom?—I really do not know who they all were; to the best of my recollection the principal subject of complaint on the part of the deputation, was the erection of the piers which formed the subject of the suit before Vice Chancellor Wood.

75. That was a deputation which went to the Board of Trade to complain of the action of this Conservancy Board, there being a suit before another tribunal in reference to that matter?—The suit was concluded then. I must also qualify my former answer by saying that a great many subjects were mentioned before by that deputation.

76. Mr. *Locke.*] Was there not an objection made that persons who were most interested in the proper conservancy of the Thames had no representatives at that Board?—Yes, that was one of the things that was stated.

77. Mr. *Longfield.*] How are you brought into connexion with this Conservancy Board?—I am not brought into connexion with it, except that in drafting reports upon Private Bills, and in the ordinary course of the business of the office, I have had my attention drawn to Acts of Parliament.

78. Reports from whom?—From the Board of Trade to Parliament upon this Conservancy Bill, and upon other Harbour Bills. Having also had to do with the management of the Mercantile Marine Fund, which involves a great deal that is connected with the buoyage, and beaconage, and ballastage of the Thames, I have necessarily become acquainted to a considerable extent with the Acts of Parliament that govern the Thames. The Vice President of the Board of Trade has, on this occasion, instructed me to prepare a statement of the law for this Committee, and I have done so.

79. But you have no particular knowledge whatever of the working of this Conservancy Board, have you?—I do not pretend to have any special or official knowledge. I came here to state what the law was.

80. Then of the working of that Board you know nothing, except from casual information obtained in the way you have stated?—I have no special means of knowledge.

81. You cannot speak as to the attendance of the different members of the Board, or give us any information about it?—None that is worth giving.

82. Have you any of the reports by you that were made either to your Board or to Parliament in connexion with this business?—There is the report on the Bill of 1857.

83. Nothing more than that?—Nothing more.

84. Since 1857, you have made no reports to Parliament as to the working of this measure of 1857?—No.

85. Then, of course, I may conclude that the only report to which you alluded just now was the formal report of the Board of Trade, in the same way as they report upon a Railway Bill previous to the Select Committee passing it?—Quite so. I must not be understood to say that nothing has ever come to the Board of Trade in the shape of papers or complaints on the subject of the conservancy.

86. If I were to ask you what were the days or hours of meeting, what was the attendance of the members, in what rotation they attended, who were the best members, or who was their secretary, you could not tell me anything about it?—I do not profess to do so. I may know something privately from Captain Sulivan, who is an officer of the Board of Trade, and also the Board of Trade member of the Conservancy Board.

87. Mr. *Locke.*] Have complaints been made from time to time to the Board of Trade with reference to the mode of conducting business by the Thames Conservators?—I remember one complaint on the part of certain bargemen and lightermen, with regard to a bye-law of the Thames Conservancy Board; and we had some correspondence with the Thames Conservancy Board upon the subject.

88. Sir *John Hanmer.*] Have all complaints come under your cognizance at the Board of Trade?—Not necessarily. Persons come with deputations

tions to the Board of Trade in cases where the Board of Trade has no legal power to interfere.

89. Mr. *Longfield.*] But you feel it your duty to receive them, nevertheless?—The President generally receives any deputation that wishes to address him on subjects connected with trade, and he is sometimes able to assist in settling matters over which he has no direct legal power. In the case I refer to the complaint was about a bye-law, to which I will refer presently.

90. And that the Board of Trade had nothing to do with?—The Board of Trade were not responsible for it, and had no legal power to alter it. But they did make representations on the subject to the Conservators, and those representations were well received.

91. Mr. Alderman *Salomons.*] — Generally speaking, do all maritime matters connected with the Board of Trade come under your cognizance?—I should see whatever comes.

92. Mr. *Locke.*] Have you made any particular note of these complaints?—I have made no particular note of them. I have mentioned to you what I remember.

93. Lately there have been several, have there not, shortly previous to this inquiry?—One deputation, I remember, which made general complaints.

94. *The Lord Mayor of London.*] That, I understand you to say, was with reference to a question affecting bargemen only?—The written complaint which I mentioned had reference to a bye-law concerning bargemen. The recent deputation made a special point of the dispute recently settled in Chancery, but they also referred to many other points.

95. Mr. *Cave.*] In the discussions and reports which preceded this Bill, was it proposed to put any other parties into the conservancy besides those who are there?—I am not aware of any such proposal.

96. Mr. *Locke.*] Do you recollect objections being made to those who were there?—No; no part of the business connected with that Bill came through the Board of Trade. The Board of Trade reported on the Bill; but none of the arrangements contained in it were in any way effected through the agency of the Board. We were, I may add, surprised that the Bill met with so little opposition from parties interested.

97. Since that Board has been formed, is it within your knowledge that complaints have been made to the Board of Trade as to the constitution of the Board of Conservancy as to the members who form it?—I know that there have been, generally speaking, complaints, but I can call to mind nothing specific; the Board of Trade have no legal jurisdiction or power in the matter; complaints need not necessarily be made to them.

98. *Chairman.*] As to the subject of ballastage, in what body is the ballastage and lastage of the River Thames vested, and by what authority?—The ballastage in the River Thames is vested in the Trinity House under their old charter and under a previous Act, 6 & 7 Vict. c. 57.

99. Has the Trinity House by that Act a monopoly in the supply of ballastage to the shipping?—Yes; I think it would be well, if it is not taking up too much of the time of the Committee, to read the preamble of that Act.

100. Will you read it?—"Whereas the lastage and ballastage, and the office of lastage and ballastage of all vessels coming into or going out of the River Thames, or elsewhere between London Bridge and the main sea, or any wharf, bank, creek, coast, or shore thereof, or any part of the same, or near or adjoining thereto, and the supplying of ballast to all such vessels, together with divers privileges for rendering the office aforesaid effectual, have been, by certain ancient grants respectively made by Queen Elizabeth dated the 11th day of June in the 36th year of Her reign, and by King Charles the Second dated the 24th day of June in the 17th year of His reign, or by one of the said grants, vested in the master, wardens, and assistants of the Corporation of Trinity House of Deptford Strond, who have received and applied the emoluments and profits thereof to the use and benefit and in the relief of poor and decayed seamen, their wives, widows, and orphans, pursuant to the said grant of his said Majesty King Charles the Second." The Act repeals the previous Acts relating to ballastage in the Thames, and then goes on to give the Trinity House certain powers with regard to it. It gives the Trinity House the monopoly in the supply of ballast below London Bridge, to get the ballast on their own account at their own option. Above London Bridge they cannot get it without the permission of the Lord Mayor. It proceeds to fix certain rates for the supply of ballast, and makes certain exceptions in favour of chalk, dung, and other matters which may be shipped as ballast on the payment of 1*d.* a ton to the Trinity House; ballast which is brought into the Thames is to pay a duty of 6*d.* a ton to the Trinity House for taking it away, and they have the power of selling it. That Act is in force only until the end of the next Session of Parliament, 1864. The general effect of it is that it gives the Trinity House the monopoly of getting and supplying ballast to the shipping in the Thames. At the time of the passing of this Act and up to the year 1853 they had the right to apply the surplus of any of their ballastage rights to purposes of charity. In 1853 an Act was passed by which the whole of the dues and rates received by the Trinity House, whether by way of light dues, buoyage, or beaconage dues, or ballastage rates, were carried to one fund called the Mercantile Marine Fund, and the application of that fund was limited, subject to the payment of existing charges, pensions to the services for which the dues were levied, and the expenditure of the money was subjected to the control of the Board of Trade. Consequently from that time the ballastage rates could no longer be applied in payment of any pensions except those then existing. Those provisions were contained in the Act 16 & 17 Vict. c. 13, and were re-enacted in the Merchant Shipping Act, 1854, 17 & 18 Vict. c. 104, s. 417 and following sections. Section 419 refers especially to the subject of ballastage on the Thames, and it is desirable that the Committee should hear it, because this question of ballastage is rather complicated. "The rates and monies received by the Trinity House, &c." (*reading the clause*).

101. Mr. Alderman *Salomons.*] Was that in London?—Yes. The Local Act remains in force, but the general Act adds to the duties of the Trinity House, and controls their expenditure. Under the Local Act they had the monopoly of the supply of ballast, and by the general Act power was given to them, with the sanction of Her Majesty in Council to undertake the heaving of ballast in addition.

102. What do you mean by the supply; the putting it on board?—The providing it, and bringing

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bringing it alongside. The Committee will understand that there are two distinct operations, "ballast getting" and "ballast heaving." The former consists in getting the ballast from the bed of the river and bringing it alongside; of this the Trinity House had, and still have, a monopoly, under the Local Act. The latter consists in heaving the ballast, when brought alongside, into the ship; of this the Trinity House have never had a legal monopoly, and they did not perform this part of the work until power was given to them to do so by the Acts of 1853 and 1854.

103. *Chairman.*] What are the regulations in force in reference to ballast heaving?—At the time when this Act was passed there were very great complaints of the condition of the ballast heavers. The shipowner or shipmaster used to employ a middlemen, generally a publican, and he employed the labourers. They were paid in public-houses, and subjected to all the worst evils of a bad truck system, and were consequently oppressed and demoralized. The ballast getters, in the employ of the Trinity House, were on the contrary, in a very excellent condition. The arrangement made under the Act of 1853 was that the Trinity House should undertake both to supply, and also to heave on board the ballast, if the owners chose to employ them to do so; they put it on board at a less price, taking the supply and heaving together, than the shipowners would have had to pay if they had paid the Trinity House for the supply and the publicans for the heaving. The consequence is, that by degrees the shipowners have come to employ the Trinity House for ballast heaving as well as ballast getting; and the Trinity House, by making one business out of ballast heaving and ballast getting, have been enabled gradually to get it nearly all into their own hands.

104. Mr. Alderman *Salomons.*] Is that the London practice?—That is the London practice.

105. The Trinity House supplies and puts the ballast on board?—The greater part is put on board by the Trinity House, as well as supplied by them.

106. *Chairman.*] Then do you understand that the ballast heaving is gradually passing into the hands of the Trinity House?—Yes. In the memorandum which I propose to put in are some figures, which will show how entirely that is the case.

107. Mr. *Locke.*] Where is the ballast placed?—It is first put into lighters by the Trinity House, and taken alongside the ship. When there it used formerly to be heaved by a totally different set of men, not by Trinity House men; it is now almost entirely heaved by the Trinity House. That change was begun in the winter of 1853, and the aggregate charge to the shipowner was reduced in consequence.

108. *Chairman.*] Can you say at what rates the ballast heaving is now performed?—Under an Order in Council, dated 9th March 1854, the rate for heaving was and is 3*d.* a ton for vessels with ports, and 3½*d.* for vessels without ports.

109. Do you know at what rate it was generally supplied previous to the provisions of the Merchant Shipping Act, which enables the Trinity House to undertake this duty?—I am informed by the Trinity House that it is very difficult to give the figures exactly, but that the charge for ballast heaving varied from 6*d.* to 2*s.* 6*d.* a ton.

110. At all events a very considerable reduction has taken place in consequence of the change?—No doubt; and contemporaneously with that reduction a very great improvement has taken place in the condition of the men employed. The Trinity House are excellent masters to those whom they employ; and there can be no doubt that, under their charge, the condition of the ballast heavers, physically and morally, is altogether changed. Very interesting Reports on this subject have been already laid before Parliament (Parliamentary Papers, No. 417, Sess. 1855); and I will put in, with other papers, a further Report on the condition of the ballast heavers. It is to be hoped that no change which it may be desirable to make in the management of ballastage will be such as again to reduce the ballast heavers to the wretched condition in which they were before the change made in 1853.

111. What is the law with respect to transferring ballast from one ship to another in the port of London?—According to sect. 20 of 6 & 7 Vict. c. 57, it cannot be transferred from one ship to another by the master of the ship, it must go through the Trinity House, and the Trinity House receives payment for taking it from the ship.

112. Do you remember what the payment is?—Sixpence a ton.

113. Have any representations been addressed to the Board of Trade by shipowners against those regulations which require payment for the transfer of ballast from one ship to another?—We have had a complaint this year about the Trinity House monopoly of ballastage.

114. Have there not been complaints with respect to the transfer of ballast?—That was the principal point; the complaint was as to the monopoly of which the rules concerning the transfer of ballast form part. I will put in the letter, and the reply of the Trinity House.

115. I believe the Trinity House has no interest in the profits arising from these duties for supplying ballast?—It has no interest whatever, because, by the Merchant Shipping Act, Part VII., the expenditure is subject to the control of the Board of Trade, and no money can be expended by the Trinity House, except by the consent of the Board of Trade, nor can any money be spent by either of those bodies except for the purposes of the services for which the duties are levied, or for charges, now rapidly vanishing, which existed prior to 1853. I propose to put in some figures which will show what the state of the ballastage account is, both as regards the aggregate and as regards ballast getting and ballast heaving, separately; and it will be seen from this account, that in the earlier years after 1853 there was a deficiency on the whole; at present there is a very considerable surplus, and if things remain as they are, it will be the duty of the Board of Trade, after providing for any expenses that may properly be charged upon the ballast rates, to make such reduction as this service will admit of. It will appear from those figures that there is now a considerable surplus; but if we look at the whole case, taking the deficiency of former years into consideration, and the proportion of charge upon the Mercantile Marine Fund for pensioners' expenses and establishments, and so on, I think it will prove that the ballastage fund is rather a debtor than a creditor to the Mercantile Marine Fund.

116. Mr. Alderman *Salomons.*] In other parts

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are these rates and charges for putting ballast on board of vessels, vested in the conservators?—I believe they are almost invariably, I know of no other case where the two things are separated in the way in which they are in the Thames.

117. At Hull, for example, where they have rather a sharp Trinity government, is it the same as here; have they the exclusive power of digging ballast?—The jurisdictions at Hull over the river are so very numerous and confused that I am not able to answer the question without looking at the Acts of Parliament.

118. But, generally speaking, do you think that the conservancy in other parts comprises everything that is to be done upon the water?—I think so, in the more recent cases.

119. *Chairman.*] What powers are vested in that Conservancy Board with regard to ballastage?—By the 109th section of the Thames Conservancy Act, it is made lawful for the Trinity House to remove shoals, when the conservators require them to do so, the conservators paying them any expenses they may be put to, the expense to be a matter to be agreed upon between the two bodies; and the conservators may also, under the 110th section, prevent the Trinity House from taking ballast from places where they think it improper it should be taken.

120. Mr. *Cave.*] When the ballast due was transferred to the Trinity House at 6*d.* a ton, was that a sort of royalty, or did they do it themselves?—The master is, at his own expense to put the ballast into lighters of the Corporation which the Corporation are required to furnish; the Corporation being paid at the rate of 6*d.* a ton for thus taking the ballast, and also 4*d.* a ton besides, if the ballast is unladen in any of the docks or canals adjoining the river; in fact, they are paid these sums for taking away the ballast.

121. For furnishing lighters, in fact?—For furnishing lighters to take away the ballast.

122. Who pays for the transfers from those lighters again into the ship to which it has to be transferred?—The Trinity House would then supply it, as ballast, to other ships, and charge the regular rate, just as if they had dredged it.

123. You mentioned the Mercantile Marine Fund; supposing Parliament were to decide that the surplus you speak of should no longer be applied to that fund, what funds are there to carry on the expenses?—The Mercantile Marine Fund consists of light dues, which form the largest part of it, of fees levied on shipowners, and crews on engagements, and discharges at the Shipping Office; of fees levied for the examination of masters, mates, and engineers, and of fees on the survey of steam vessels. At the present moment, after many reductions, and especially a reduction made in the light dues, the year before last, comparing the ordinary receipts and expenditure, there is a deficiency in the fund; but we hope, if trade increases, as it has increased, before we have expended our balance (and we have a considerable sum in hand) that the income will more than meet the expenditure.

124. Then I understand that the Board of Trade has the entire management of the Mercantile Marine Fund, and is bound, provided there is a surplus over the wants of it, to apply it in reducing the tolls on the river that are levied under this Conservancy Act; is that so?—They are bound to reduce the tolls generally, so as to make them only sufficient for the service, after the payment of pensions. In the case of this particular ballastage, they are bound to keep the rates for ballastage to such an amount only as will pay for the expenses incurred by the Trinity House on the River Thames. The ballastage rates are under the Ballastage Act, 6 & 7 Vict. c. 57, not the Conservancy Act.

125. So that although they have no control over the action of the Trinity House, and the Conservators, they have the power of stating what tolls shall be levied by them?—They have the power of purse over the Trinity House. They have no power over the Conservators whatever. It was thought that this might lead to confusion. I am not aware that it has; but the power given to the Conservators to require the Trinity House to remove certain shoals, and as to arrangements about money, it was thought, might give rise to complication as regards the Mercantile Marine Fund and the powers of the Board of Trade. I say that I am not aware that it has done so. I should mention before quitting the subject of ballastage, that it was no part of the arrangement which Mr. Cardwell made in 1853, with the Trinity House, to deal with the management of these matters; he left the management of these matters as it was; he was, in fact, merely dealing with the application of the surplus funds, and not with the management or mode of administration.

126. *Chairman.*] Which was not disturbed, I believe?—Not in any way.

127. With regard to the buoyage and beaconage of the River Thames, in what body was that duty placed?—By the Thames Conservancy Act, the Thames Conservators have the power of laying down buoys, and placing beacons in the Thames; and the Trinity House also exercise those powers. I am not aware to what extent exactly the powers of the Trinity House go; but they exercise considerable power in laying down buoys and beacons in the Thames, and the Mercantile Marine Fund receives a considerable income by tolls from them. The original powers of the Trinity House were exercised under the 13th of Elizabeth, which relates to buoys and beacons, and sea marks generally, and in the preamble of that Act, the case of the Thames is specially alluded to. By the Merchant Shipping Act, 1854, part VI., the jurisdiction they previously had in this respect is continued and confirmed. It does not alter the jurisdiction in any way, but confirms to them what they had before. It is possible that some line might be drawn at the mouth of the Thames, separating the jurisdiction of the Trinity House from that of the Conservators, but no such line is, so far as I am aware, drawn in the existing Acts.

128. Do you know what the charge per ton is, on buoyage and beaconage?—It is a little difficult to say, because there are so many abatements, but I believe it is a penny a ton on oversea vessels; that is a penny a ton with abatements which amounts to about 60 per cent.; because these tolls have shared in the reductions which have been made in the general dues of the Trinity House as to the whole of the tolls received by the Trinity House. The general effect of these reductions is, that where, in 1853, a shipowner paid 100*l.*, he now pays 40*l.* The tolls on lights, buoys, and beacons in the Thames have shared in these reductions.

129. Are any accounts kept, distinguishing the tolls received from buoys and beacons on the Thames, from those received in the kingdom generally?—

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generally?—I have no doubt the Trinity House would furnish them; we do not keep separate accounts; formerly the accounts of each lighthouse and its revenue were kept separately; but we found it caused a very great expense and complication in the accounts, and that it was quite unnecessary, and it was put an end to.

130. Do you know how many buoys and beacons there are in the Thames?—No. I cannot tell that exactly. There is a report of the Lighthouse Commissioners of 1861 upon the subject, but I do not think that gives the number. It is probable that there is a considerable surplus of income over expenditure for the lighting, buoying, and beaconage of the Thames, and that if it was handed over from the Trinity House to a local body, the Mercantile Marine Fund would be a loser; but I cannot speak positively to this, without more specific returns than we possess.

131. The Thames Conservancy Act gives to the Conservators the power to superintend the buoyage and beaconage of the Thames, does it not?—Yes, it gives it them in express terms.

132. The same powers being vested in the Trinity House, do you find that the two parties ever come into collision?—I know so little of their proceedings that I cannot say whether they do or not.

133. Do you think it desirable that these duties should be all vested in the same hands?—It certainly seems desirable that there should not be two authorities to do the same thing in the same harbour.

134. The next subject you mentioned, I think, was the "Thames Watermen and Lightermen"?—Yes, the Watermen's Company and their powers. I do not know to what extent the Committee wish me to go on this point. I have prepared a statement of how the law was before the recent alteration in it, and how it stands now.

135. Will you state what was the position of things previous to the year 1859, with regard to this subject?—"The principal features of the system were a company consisting of the registered freemen; with a governing body, consisting of a master, four wardens, and 21 assistants. The governing body was partly self-elected, partly subject to the control of the Corporation of London. The only persons who could become freemen of the company were persons who had duly served for seven years as apprentices to free watermen or lightermen, or to the widows of free watermen or lightermen. No free waterman or lighterman was allowed, under any circumstances, to have more than four apprentices; no one who owned less than 20 barges might have more than three; and no one who owned less than 12 might have more than two; and of these, the second could not be taken till the first had served four years. Persons who were not freemen or apprentices to a freeman or a freeman's widow were forbidden to navigate any craft for hire on the River Thames, between Windsor and Yantlet Creek, under a penalty not exceeding 10*l.* Western barges, or barges from Kingston, or from any place beyond that town, were exempted from all the provisions of the Act, except those which required the names of the craft and of their owners to be painted on them; and except, also, those which related to regulations to be made for the government of craft on the river by the Mayor and Aldermen of London. Persons using barges might use them to carry their own goods, provided they employed to navigate them freemen of the company, or their apprentices. But no such person might carry goods or passengers for hire, or any goods other than their own. Owners or lessees of laystalls, owners of chalk hoys, and gardeners, might carry dung, chalk, and garden stuff, without employing either barges belonging to freemen or free watermen. Fishermen might use their own boats, and ballast-men might use their own vessels for getting and carrying ballast. By a Public Act 4 & 5 Anne, c. 19, s. 18, after reciting that the Thames watermen were in the habit of absconding and not entering Her Majesty's service, it was enacted that if any watermen, members of the company, should be summoned by the Admiralty to serve, and should not within 10 days appear for the purpose, they should be liable to imprisonment and deprived of their privileges as watermen. By the Acts relating to Westminster Bridge, Blackfriars Bridge, and Vauxhall Bridge, compensation was given to the Watermen's Company for the loss sustained by the Sunday ferries, in consequence of the erection of those bridges, and by 8 & 9 Vict. c. 78, they were enabled to invest these funds, and the income still ensuing from the Sunday ferries, which it appears had greatly decreased in amount, in land, or on mortgage." The Commission on the Corporation of the City of London, in their report in 1854, page xxvi, recommended the abolition of the privileges of that Company in the following terms: "Connected with the navigation of the river is an incorporated company, entitled, the 'Master, Wardens, and Commonalty of Watermen and Lightermen of the River Thames.' This company is regulated by Acts of Parliament, the earliest of which was passed in the time of Henry VIII.; and it is placed under the authority of the Corporation of London; but it is not one of the City Companies; and freedom of the company does not confer a right to the freedom of the City, nor is it necessary to be free of the City in order to become free of the company. The exclusive privileges possessed by the freemen of this company with respect to the navigation of the river, ought, we think, to be abolished. Some protection to the public against unskilful or unfit persons plying for hire on the river, ought, however, to be provided, and the issue of licenses for this purpose ought to be vested in some competent authority." In 1859 a Bill was brought in, the object of which was to put an end to the two monopolies of the then existing system; first, the monopoly which the freemen possessed of carrying goods on the river, and secondly, the monopoly of navigating all barges on the river. The Bill was introduced to put an end to both of them; that Bill passed as 22 & 23 Vict. c. 133, but not without very considerable alterations. I am only imperfectly acquainted with the history of its passing; I believe it is rather a curious one; as it passed it made very considerable alterations in the system, but did not carry out all the original objects of the promoters.

136. What were the chief objects of the Act of 1859?—The following are its principal features; viz., the limits of the jurisdiction, instead of extending from Windsor to the Medway, were to extend from Teddington to Gravesend. The governing body was made self-elective, without the interference, as before, of the Corporation of London. The qualifications for becoming a freeman of the

the Company were extended. Instead of a seven years' apprenticeship to a freeman, it now consists of one apprenticeship to a freeman or a freeman's widow. These are entitled to be admitted as a matter of course; secondly, owning a barge used within the limits of the Act, and duly registered according to the Act; thirdly, holding a license under the Act. Persons having these licenses may be admitted as freemen by the court, but unless they are, in addition to the above qualifications, apprentices, three-fifths of the court must concur in the election. To obtain a license as lighterman, a man must be of the age of 19 or upwards, bear a good character, and have served an apprenticeship of five years to a freeman, or to the widow of a freeman, or to the registered owner of a barge, having a freeman or licensed lighterman in his employ; he must also have been continuously employed in a barge for the previous two years, and he must pay 3 *l.* 11 *s.* for his license, and 2 *s.* 6 *d.* for its renewal. Similar conditions, *mutatis mutandis*, apply to watermen. In the case of the refusal of the court to grant a license, an appeal is allowed to the Conservators of the Thames. Registered owners of barges, if they have a freeman or licensed lighterman in their employ (as well as freemen, or widows of freemen), are enabled to take apprentices for a five years' apprenticeship, and the number of apprentices so taken is not limited." That is a very material alteration. "Apprentices are not qualified to take sole charge of a vessel unless they have served two years, and have obtained a license. *No person except a freeman or apprentice to a freeman, or apprentice to a barge owner, qualified as above-mentioned, or licensed as above-mentioned, is allowed to act as waterman or lighterman*, within the limits of the Act, under a penalty of 40 *s.*, or in the case of a passenger boat, 5 *l.* No barge may be navigated unless there is a licensed lighterman, or qualified apprentice in charge, except when it is impossible to obtain their services." The exemption of western barges, which was contained in the old Act, seems to have been done away with. The new Act further provides that barges and passenger boats shall be registered; and that the Court of the company shall have power to fix the number of passengers to be carried, and the fares to be taken, and shall have summary jurisdiction over barges and boats, with power to make bye-laws for the government and regulation of watermen and lightermen, subject to the approval of the Conservators of the Thames.

137. Mr. Alderman *Salomons.*] Who are they; the Watermen's Company?—The Watermen's Company. I should add, that the monopoly of the Sunday ferries was continued. Also that the obligation of the free watermen to serve in the Navy was repealed at the express desire of the Admiralty; they said they did not wish to keep it up.

138. *Chairman.*] Was that Act framed in accordance with the recommendation of the Board of Trade?—No, the recommendation of the Board of Trade went much further than the Act went; it went as far as the original Bill went.

139. I believe the Report of the Board of Trade recommended that the only jurisdiction belonging to the Watermen's Company which it was desirable to preserve was the power to regulate the navigation of the river?—Quite so.

140. And that power was to be transferred to the Conservators of the Thames?—That was the purport of the Report.

141. They were still to be a charitable body?—Yes.

142. Are the Watermen's Company in possession of considerable charitable funds?—I believe so.

143. Can you give the Committee any account of those funds?—They will be found in the Report upon the Corporation of London.

144. Mr. Alderman *Salomons.*] In that Bill there was no limitation whatever upon the trade to be carried on by any boat on the river, but merely as to the mode by which persons were to be qualified for that navigation?—That, I believe, was the general object of the Bill. But it is to be remembered that the mode adopted for such a purpose may be such as practically to limit the free employment of qualified labour; and also, that the Watermen's Company possess a considerable control over the navigation in the power of making bye-laws for the government of those who carry it on.

145. It did not affect, in any way whatever, the trade exercised by any of those men on the river, such as bum-boating; nothing of that kind was introduced; it was purely a Bill to regulate the men who were to navigate the river; it applied to persons, and nothing else?—Except certain provisions for the registering and numbering of the vessels.

146. Upon other rivers, I suppose, the tide rises considerably; 10, 12, or 18 feet, at Hull, for instance. Does the navigation of other rivers come under the Conservators, or is there any company to regulate it like the Watermen's Company here?—The jurisdiction of the river at Hull is exceedingly confused; there is a Trinity House, a conservancy body, a dock company, and Pilotage Commissioners; in fact, a great number of bodies, and I really cannot tell you whether there is any body like the London Watermen's Company. I do not think there is.

147. Is there anybody, in any of the great rivers of the company, where the whole of the powers are consolidated in one, under the name of a Conservancy Board?—I am coming to that by-and-bye, with such information as I can give to the Committee.

148. You cannot give me an answer, yes or no, to that question?—The circumstances of different ports and harbours differ so much, that it is scarcely possible to give an answer that may apply to all without misleading the Committee.

149. I ask you whether, within your memory or experience, you can mention one case where they are so consolidated?—Yes, I think I can give you two or three by-and-bye.

150. Mr. *Cubitt.*] Do I understand you to say that the Watermen's Company were, by this Act, divested of powers which they had heretofore exercised over their own body of watermen and lightermen?—The general effect of the Act was very largely to increase the number of persons who might be employed as watermen and lightermen on the river, but the jurisdiction of the court was continued over all those persons.

151. Mr. *Locke.*] In point of fact, the Watermen's Act was a compromise, was it not?—It was a compromise; and I should mention we have had complaints upon the subject of that since from the wharfingers; complaints arising from the bye-laws of the Conservators of the Thames. The Conservators made a bye-law requiring that a loaded

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loaded barge of a certain size should have two persons, both of whom were to be qualified as members of or having licenses from the Watermen's Company. I believe they have since repealed that bye-law, but the complaint that was made to the Board of Trade was, that in doing that they undid what had been done by the recent Watermen's Act, and compelled the barge, instead of having only one, to have two of those persons. I think the Conservators have since altered that, and that it never was their intention to increase the stringency of the Watermen's Act. They thought that the barges in question ought to have two men to manage them; and there is a clause in the Watermen's Act which prevents any person from navigating a barge on the river unless qualified according to the rules of that Act; consequently, it seems to have been thought, if there are to be two persons they must both be licensed. The Watermen's Act does not require two persons, but it seems to require that if there are two, both shall be licensed.

152. Then according to your construction it stood thus: that one man might navigate the barge if he chose, and that one man must be a waterman, but if he had an assistant that assistant must also be a waterman?—This is the clause: "LIV. If any person, not being a freeman, licensed in pursuance of this Act, or an apprentice, qualified according to this Act, to a freeman, or to the widow of a freeman, of the said Company (except as hereinafter is mentioned), shall at any time act as a waterman or lighterman, or ply, or work, or navigate any wherry, passenger boat, lighter, vessel, or other craft upon the said river, from or to any place or places, or ship or vessel, within the limits of this Act, for hire or gain (except as hereinafter is mentioned), every such person shall forfeit and pay for every such offence any sum not exceeding 40*s.*: Provided always, that it shall be lawful for any person who shall obtain a license as is herein provided, or is an apprentice qualified, as herein provided, to work as a lighterman within the limits of this Act." I rather think it was upon the construction of that clause that Chief Justice Erle considered that the Thames Conservancy Bye-law, in requiring two men, must also require that both shall be free watermen, or otherwise qualified under the Watermen's Act. This result was much complained of. I mention this merely to show that the Acts giving jurisdiction over the navigation of the river, do create some confusion, and that there is some as to their operation.

153. Mr. *Cave.*] As I understand, these jurisdictions do not clash in any way with the jurisdiction of the Conservancy Board?—The Conservators have the power of approving or disapproving the bye-laws of the Watermen's Company. But the Conservators have also powers under their own Acts for regulating the navigation of craft on the river. And it appears that they have actually made a bye-law to control the navigation of the river, interfering with what ought properly to be the business of the Watermen's Company, if it could be supposed that that company are to have the sole control of the craft on the river.

154. Then, in point of fact, the Watermen's Act was, to some extent, a repeal of the section of the Conservancy Act with regard to the rights of the Lightermen's and Watermen's Company?—I do not know what power the City of London had over the Watermen's Company before, but certainly the Conservancy Act gave the Conservators a control over the bye-laws of the Watermen's Company; and there is an appeal in certain cases from the Watermen's Company to the Conservators.

155. Do you mean in the Watermen's Act?—Yes.

156. *Chairman.*] Then I learn from your evidence that there is considerable confusion and anomaly in the various jurisdictions on the River Thames?—It would certainly seem so from the law as I have stated it. It appears that there are various bodies exercising jurisdiction, and that those jurisdictions clash upon different points; I am quite unable to say to what extent that raises a practical difficulty; but on the face of the Acts of Parliament the jurisdictions do clash.

157. The Conservators are appointed by the City, by the Government, and by the Trinity House; how are they appointed?—The Trinity House are self-elected.

158. As to the Watermen's Company; how is that?—And they appear to be self-elected also.

159. And do any of these bodies represent the interests they serve, or are any of them directly answerable to Parliament?—There are none of them elected by the interests they serve, and none of them responsible to Parliament in the sense in which a Government department is responsible to Parliament.

160. Are you prepared to recommend any plan that you think suitable to the River Thames?—I should be presumptuous if I were to attempt to do so, especially at the present stage of this inquiry.

161. There is a passage from the Report of the Commissioners upon Local Charges for Shipping which bears upon this inquiry; will you turn to it?—It is in their first Report, dated 1854. That Commission had great experience; went through the whole of the harbours of the United Kingdom, and their report contains an immense deal of very valuable information upon the constitution of all the harbour authorities, as they then stood, and they made a great many valuable recommendations. The following are among them: "1. That a single body of conservators be constituted in each public harbour. 2. That the limits within which each body of conservators shall exercise jurisdiction be determined, and that provision be made for revising these limits from time to time. 3. That all powers necessary for the maintenance and government of the harbour be vested exclusively in the conservators of the harbour. 4. That all powers held by the existing authorities of any public harbour, and appropriated to the purposes of the harbour, be transferred to the conservators of that harbour. 5. That all revenues appropriated to the purposes of any public harbour be transferred to the conservators of that harbour. 6. That all dues and tolls on ships, or on goods carried in ships, levied by municipal corporations or other town authorities within the limits of any public harbour, be transferred to the conservators of the public harbour within which they are levied."

162. Mr. *Locke.*] It does not say how they are to be appointed, does it?—No, they found the difficulty of making any general rule applicable to all harbours to be very great indeed.

163. They merely recommended that there should be one body called the Conservators of the Harbour?—Yes.

164. How they were to be elected, and of whom they were to be composed, they gave no opinion?—No, they found it was impossible to

to give any general opinion applicable to all harbours.

165. *The Lord Mayor of London.*] You have said that the jurisdictions clash, will you be kind enough to explain shortly in what way you consider they clash; you said that the ballastage was a matter in which they clashed, and the buoys and beacons?—They appear to clash on these points, and also in the regulation of small craft.

166. Can you describe any way in which they clash?—If one body dredges ballast and has a monopoly of selling, whilst another body controls that dredging and dredges itself, but cannot sell what it dredges, there is one instance of clashing. And again, if it be the case that two bodies have both the power of putting down buoys and beacons in the same waters, that would necessarily appear to be a second case in which they clash.

167. Sir *John Hanmer.*] Clashing would be very dangerous in such a case, would it not?—In such a case I think it would be very dangerous; I hope the good sense of the two bodies would prevent any actual danger. But there might be great inconvenience.

168. *The Lord Mayor of London.*] Are there any other circumstances except those two, the ballasting, and the buoys and beacons, in which you think they would clash?—I think there is also clashing on the subject of the navigation of small craft. One body has power to regulate the navigation of small craft, and another body has power to regulate those who navigate them.

169. But the Watermen's Company is subject to the control of the Conservancy Board, is it not?—Only in certain respects.

170. *Chairman.*] There is a passage in the Report of the Board of Trade upon the Bill of 1857, which seems to me to be of considerable interest; if you have it at hand, I wish you would read it to the Committee?—The Report of the Board of Trade on the Conservancy Act of 1857, first quotes the passages I have read from the Report of the Committee of 1836, and from the Report upon the Corporation of the City of London in 1854, and it then goes on to state: "The general principles involved in these recommendations," that is the recommendations made by the City of London Commission, and the Committee of 1836, are "consistent with the suggestions which, having regard to the interests of trade and navigation, my Lords have thought it right to make in reporting on other Harbour Bills of the present Session. From these reports it will be seen that the body to which the conservancy of a great public harbour is intrusted, should in my Lords' opinion possess all the legal powers requisite for managing the harbour, and all matters relating to navigation therein; that it should also possess the knowledge and experience necessary for the due performance of its duties, and above all that it should be responsible for their due performance. The plan proposed in the present Bill appears to my Lords to fulfil none of the above conditions. The new Board will not be the sole body exercising powers of conservancy on the Thames, and will not possess all the powers requisite for the management of the river and its navigation. The Government nominees on the Board will be in a minority, and will as against the members chosen from the City of London Corporation, possess no real power, it will be impossible to hold the Ministers who appoint them responsible for the conduct of the conservators. The Corporation of London will continue to possess the real power, whilst they will be no more competent, and will be even less responsible for its exercise than they are at present."

171. *Chairman.*] Are you acquainted with the constitution of the Board for the management of the Mersey?—Yes, that was altered in the year 1857; in that case, there had been considerable previous changes, but the state of things immediately prior to the Act of 1857 was, that the docks at Liverpool were managed by a committee trust, consisting of 12 persons chosen by the Town Council of the Borough of Liverpool, and 12 persons chosen by the dock ratepayers; the chairman, who had the casting vote, was to be one of those elected by the Town Council of the Corporation of Liverpool; the town council had a veto on all acts of the Dock Committee and certain other controlling powers. The Birkenhead docks were a totally different establishment. And there was also a distinct pilotage jurisdiction in the Mersey. By an Act passed in 1857, 20 & 21 Vict. c. 162, the whole of the powers over the docks at Birkenhead, as well as at Liverpool, and the whole jurisdiction over the works at the mouth of the estuary and its pilotage, was vested in a new Board called the Mersey Dock and Harbour Board, consisting of 28 members, 24 of whom were elected by the dock ratepayers, and four named by the conservators of the Mersey. The conservators of the Mersey are a Board whose business is principally to prevent works injurious to navigation. But they have no funds, and very small powers. They consist of great Officers of State, The reason why the promoters of that Bill wished that four persons on the Mersey Docks and Harbour Board should be named by the conservators of the Mersey, instead of the whole being named by the dock ratepayers, was, that there had been a long contest between Birkenhead and Liverpool, and it was desired, until Birkenhead should be able to get on its legs and take its own part, that there should be persons appointed to represent what might be called the weaker interest on the Board.

172. That Board is composed chiefly upon the principle of election, is it not?—Yes, that is the great principle.

173. And consequently upon the principle of direct responsibility?—Yes, to the dock ratepayers, persons that pay rates on vessels or goods.

174. What were the qualifications of the elected members?—Residence within 10 miles of the borough, or two miles of the port, and payment of 25 *l.* in rates.

175. And what were the qualifications of the electors?—The electors are persons who have in the previous year paid 10 *l.* in rates.

176. How does this Board work, as far as you are informed?—I believe it works very well.

177. Have you heard any complaint against it?—No, they hold public meetings, and their debates are reported regularly in the Liverpool newspapers. I have heard no complaint of its working; on the contrary, those interests which complained so much before, namely, Manchester, Cheshire, and the railway companies do not complain now.

178. Mr. Alderman *Salomons.*] Is the Crown represented there, as it is here, on the conservancy Board?—The only way in which the Crown can be said to be represented, is by the four persons appointed by the conservators of the Mersey;

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Mersey; the conservators of the Mersey being the First Lord of the Admiralty and some other great Officers of State.

179. But they do not interfere, as the Crown do here, in making a claim, with a view to getting a revenue out of the Mersey?—There is, I believe, no question of that sort with the Crown. The Corporation of Liverpool own, or have owned, part of the foreshore, and other parts have been sold by Lord Derby to the Dock Trust. No doubt if the Mersey Board want property of the Crown they would probably have to pay for it.

180. *Chairman.*] Is there anybody like the Watermen's Company exercising control over the navigation of the Mersey?—The Mersey Dock Act distinctly gives to the Mersey Board the power of making bye-laws for the government of small craft on the river there (*see* sect. 221 of 21 & 22 Vict. c. 92), and I believe that there is no other body exercising any jurisdiction like that of the Watermen's Company.

181. Is the ballastage, the buoyage, and the beaconage all vested in the Mersey Board?—As to ballastage, I do not think there is much done in that way in the Mersey, but the dredging, the buoyage, beaconage, and lighting of the estuary is entirely in the hands of the Mersey Board (*see* s. 100, and following, of the same Act).

182. Mr. Alderman *Salomons.*] And the pilotage too, is it not?—There is a separate pilotage committee, but subject to the control of the Mersey Board.

183. Mr. *Cave.*] For what period are the Board elected, annually, triennially, or how?—A part go out every year.

184. Mr. Alderman *Salomons.*] The Act had reference to the purchase of the Birkenhead Docks, had it not?—There was a great controversy on the subject of the Birkenhead Docks, and the completion of the Birkenhead Works, and in which the railway companies took great interest, and in which Manchester took great interest. There was also a great struggle on the subject of the Liverpool Town Dues, and the management of the Liverpool Dock estate. There was, in fact, a great contest on all these points between Manchester, the railway companies, and Cheshire, and the inland country, on the one side, and the town of Liverpool on the other.

185. It was to settle these local differences, and to vest the Birkenhead Docks in the town of Liverpool, that the battle was fought, was it not?—Certainly not; the battle was to take these funds and powers out of the town of Liverpool.

186. The governing body of the docks, I should have said?—Yes, to make it one general public trust. A great point in the struggle was to take funds, docks, and powers entirely out of the hands of the Town Council, who represented the ratepayers of the city of Liverpool, and to vest the whole power in the hands of those who paid rates to the docks, that is, the merchants and shipowners.

187. *The Lord Mayor of London.*] Then it was to transfer it from them to the dock company?—To a public trust, not a company.

188. Mr. Alderman *Salomons.*] It is the same interest after all, is it not; it is the town of Liverpool in another shape; the corporation representing the town, and the dock interest representing the town also?—I do not think they are entirely in the same boat; for there are various points upon which they come into collision; of course the Liverpool element is, and always must be, very strong upon the Board. But the merchants, even if belonging to Liverpool, are one class and the town ratepayers another class, and the representation of trade is not confined to Liverpool.

189. Mr. *Locke.*] Liverpool differs materially from the Thames, does it not; is not the whole business there carried on in the docks?—It differs very much, and it differs in this respect, that the docks all belong to this public trust; they are not in the hands of different companies, as they are here.

190. But it is not the same thing as it is here, where you have waterside premises, lighters, sufferance wharves, legal quays, and so on?—No, there is nothing of that kind.

191. Then if that plan were to be adopted in London you could not hand it over enirely to the representatives of the docks, in the same way as was done at Liverpool?—No; that would be out of the question upon any general principle, to place it in the hands of one particular interest of that kind.

192. Mr. Alderman *Salomons.*] The only thing that you think could be effected would be to consolidate the government of the River in one body; is that so?—I do not say whether it could be done; I am only pointing out the principle in which Parliament has acted in other cases, and which it seems desirable to adopt in this case, if practicable.

193. *The Lord Mayor of London.*] Are the docks of Liverpool a part of the municipality or a private speculation?—They began by being in the hands of the municipality; by degrees they have been taken out of their hands, and placed in the hands of the traders; and the traders are a very different body from the ratepayers of the city. That was the great struggle on the part of Manchester; Manchester said, Let the body that governs this great interest, in which we are as much interested as the town of Liverpool, be governed by a body which represents trade, and not by a body which represents the ratepayers of the town.

194. *Chairman.*] Do you know in Liverpool what parties are rated to the docks?—There are two classes of rates; there are tonnage rates on vessels, which are taken on all vessels which come into the Mersey, and there are rates on goods, which are taken for goods unladen at the docks; and there are also the old Liverpool town dues on goods, which are now a sort of additional dock rate.

195. Mr. *Cave.*] You have said that the qualification for candidates for this Conservancy Board, at Liverpool, was residence. Was that also a qualification for the electors?—No; to have paid so much in dues is a qualification for an elector.

196. Mr. *Longfield.*] Are you aware whether the Liverpool Act was an Act divesting powers formerly vested in the old Corporation and electing a new one *de novo* where none before existed?—It created a new body, and transferred to the new body which it created a great number of powers which were previously vested in different bodies, some of them in the Corporation of the City of Liverpool. With regard to the term of office of the conservators, about which I was asked just now, I see the elective members are divided into four classes; one class to go out at the end of the first year, a second class to go out at the end of the second year, and a third at the end

end of the third year, and a fourth at the end of the fourth year; and they are all eligible for re-election.

197. *The Lord Mayor of London.*] What does that result in; how does it work?—I suppose the object of it is always to retain some of the old members, not to have them all new at once; but to have a certain number of experienced members on the Board.

198. Mr. *Longfield.*] How has that Act worked?—As far as I am aware, very well; we hear a good deal of it, and we see the papers in which appear reports of their debates; but the chief evidence of its working well is, that the interests which were always complaining before are quiet now.

199. Does that Board comprise the nominee members?—It comprises the four members named by the conservators of the Mersey whom I mentioned before.

200. *Chairman.*] Can you give us some account of the history and constitution of the trust which manages the conservancy of the River Clyde?—The Clyde above Greenock was originally in the hands of the Municipal Corporation of the City of Glasgow; in 1858, a Bill was introduced by the then trustees of the Clyde who were not exactly then the Corporation of the City of Glasgow, but in which the Corporation of Glasgow had by far the greatest power and the largest number of members; great complaints were made; there were numerous deputations to the Board of Trade, and great opposition was made by the merchants and shipowners of the Clyde, not complaining so much of actual mismanagement, as of the refusal of the governing body to give the trading interests a direct representation on the management of their great river. I should like to read to the Committee a passage from the Board of Trade Report on that Bill, which was very carefully considered by Mr. Henley, then President of the Board of Trade, and which has been repeated in subsequent Reports of the Board of Trade on many Bills in which the circumstances have been similar has happened: "The first point to which my Lords wish to call attention is the constitution of the trust; it will be observed from the above that the trust, as it at present exists under the Acts 3 & 4 Vict. c. 118, and 9 & 10 Vict. c. 289, it is almost entirely the same as that which it is proposed to continue in the present Bill, the only difference being that the trustees, who are town councillors instead of being chosen severally by the councillors of the different wards, are now to be chosen at once by the body of the Town Council. It is not proposed by the Bill to introduce into the trust any additional representation of those who pay the river and harbour dues." The fact that they did not do so was, as I have said, the subject of great complaint by the trading and shipping interest. "It is also to be observed that the Commissioners for auditing the accounts and reducing the dues, a body which it was apparently intended should comprise a large mercantile element, but which has been proved inoperative, has been done away with by this Bill. It appears to my Lords to deserve the consideration of the Committee whether advantage should not be taken of the present opportunity to introduce into the management of the Clyde some more direct representation of those who are primarily interested in the docks and harbours, viz., the shipowners and merchants who use and pay for them. In many cases, especially in the infancy of a port, it may be neither practicable nor desirable to sever the interests of the trade of the place from those of the town in its municipal character; but in cases where the persons paying dock and harbour rates constitute a large, distinct, and influential class, there is less difficulty in forming a body which shall represent that class, while there are obvious advantages in committing power to their hands. The interests of the town may not always be the same as those of the harbour; the persons chosen to govern the town are not necessarily chosen with any view to their mercantile knowledge or capacity for dealing with questions affecting navigation; and they may be fully employed on business of a different description, even supposing the town ratepayers to be anxious, when electing their own town councillors, to wish to elect among them a due proportion of merchants and shipowners, and to place in the hands of those councillors the management of matters relating to navigation; it is possible that such persons, though they might be able and willing to undertake the management of such matters, if separated from other matters, might not be disposed to accept the office of town councillor, which involves in addition onerous duties connected with the management of the business of the town. On the other hand, if merchants and shipowners elect their own representatives, they will probably elect them with a view to their special qualifications; the persons elected will have no duties thrown upon them except those connected with navigation, and they will have the strongest motives of interest for managing the trust in the most efficient manner." The report then goes on to refer to the case of Liverpool.

201. Mr. Alderman *Salomons.*] That does not give us any idea of the consolidation of all the interests of the river into one Board?—In that case, I do not think there was any question of that kind, because the previous body possessed all those powers, and those powers were continued to them by the Bill that was then passing. There was no such conflict of jurisdiction that I am aware of, except in the matter of pilotage between Glasgow and Greenock.

202. Have the Crown put forward any such pretension with regard to the Clyde as has been the case on the English rivers?—I cannot say; I have no knowledge of any such disputes.

203. Does the river there, its banks, bed, and soil vest entirely in the Corporation?—I am very imperfectly acquainted with that, but I think part of the shores are in the hands of private proprietors.

204. *The Lord Mayor of London.*] How are these works carried out?—By rates on ships and goods.

205. Do you mean by tonnage dues?—By tonnage dues and rates on goods.

206. Entirely?—Entirely.

207. Have you any idea as to the amount that is charged?—It is an extremely complicated system of rates; there are different lengths in the Clyde, and you have to pay different rates, according to the different lengths that you go up.

208. According to the draught of water?—According to the length of the channel used. I will put in a statement of the rates.

209. *Chairman.*] What is the constitution of the Board?—The constitution, as finally settled, is as follows: 25 trustees in all, of whom 10 consist of the provost and nine town councillors, chosen

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chosen by the town council, and 15 representatives of trade; of these 15 two are chosen by the Chamber of Commerce, two by the Merchants' House, and two by the trades' house, which are certain mercantile corporations in Glasgow, and nine by the registered shipowners and ratepayers of the river.

210. Mr. Alderman *Salomons.*] Do they govern the entire river dues, including the navigation of the river, and the buoying and ballasting?—Everything on the river, I think, down to a certain point; to a certain distance, not far above Greenock.

211. Do they license steamboats?—They have very extensive powers over steamboats and small craft.

212. *Chairman.*] As far as you know, does any other body exercise jurisdiction over the Clyde besides the trustees?—I believe none.

213. We will now come to Sunderland; I think the conservancy of the River Wear has been recently regulated by Parliament, has it not?—It has; there were previously two bodies, which were in constant conflict, the trustees of the Wear and the owners of the Sunderland Docks. At last they came to an arrangement which transferred the Sunderland Docks and the management of the Wear to a public trust, consisting of a very large number of conservators. The constitution of this trust shows how different cases are, and how impossible it is to get one rule to apply to all.

214. Who are the conservators there?—There are 52; one is appointed by the Admiralty, the collector of customs is one, 21 persons are elected by the coalowners, 15 by the registered shipowners, nine by the conservators themselves, three by the importers and exporters, one by the municipal corporation of Sunderland, and one by the proprietors of the North Dock.

215. Mr. *Longfield.*] What is the date of that Act?—1859.

216. Mr. Alderman *Salomons.*] What do those conservators do?—They manage the River Wear and the Sunderland Dock.

217. What do you mean by manage?—They actually own the dock. It did belong to a dividend-paying company."

218. Did they buy it?—They bought it. The dock had a rival outlet to the sea and there were constant struggles between the two bodies, which they put an end to by placing all in the hands of one representative trust.

219. *Chairman.*] Have you by you the report of the Board of Trade of the Bill in 1859?—It is very much to the same effect as that on the Clyde: "The proposed change will vest the whole management of the harbour and docks of the report in the River Wear Commissioners. It becomes, therefore, necessary to consider whether their constitution is such as to represent the interests committed to them. It is stated by the supporters of the Bill, that according to the present constitution of the Commission those great interests principally concerned, viz., the merchants and shipowners, the coal owners, and the landowners who own the wharves and staiths along the river are all fairly represented; but as the Commissioners are self-elected and irresponsible, there is obviously no guarantee that such representation shall continue, and if it should happen that a conflict of interests should arise, and that one or other elements should get the power entirely into their hands, the trade of the port might suffer materially. These considerations are the more important since the Bill proposes to place the appropriation of the aggregate revenue of the Commissioners, after paying debts and expenses entirely at their disposal; and leaves them at liberty to apply those revenues in extending and improving the works authorised by the Acts of Parliament, or in constructing such other works as the Commissioners deem beneficial to the shipping, resorting to the river and docks; it appears therefore to be a matter for the consideration of the Committee on the Bill, whether it is practicable at this opportunity to introduce into the governing body of this large and growing port and harbour that principle of representation of the trading interests who pay the duties which has been recently applied in the cases of the Mersey and the Clyde.

220. *The Lord Mayor of London.*] How are all these 52 Commissioners elected?—The Collector has to make a yearly list of all registered shipowners, with register in tonnage; that forms one part of the constituency; then the coalowners are to be entitled to votes according to the following scale: every person appearing by the certified list, that is a list kept at the port, to be a shipper of 10,000 tons and upwards of coal, shall have a vote, and an additional one for every additional number above the first 50,000. Then the Commissioners make a list of the importers and exporters, who become electors.

221. *Chairman.*] In fact, I believe, it is a very complicated matter?—It is.

222. Do I understand you to say, that that Commission works satisfactorily notwithstanding that complication; have there been complaints?—There have been no complaints, and they are going on with large works; they are coming for large sums to the Public Works Loan Commissioners.

223. I think we have done with the Wear; let us now come to the Tyne?—With respect to the Tyne there were formerly very great struggles and disputes. The conservancy of the river was vested in the Corporation of Newcastle; and by the Tyne Improvement Act of 1850 it was vested in a body called the Tyne Improvement Commissioners.

224. It was taken out of the hands of the municipality?—Yes, out of the hands of the Newcastle municipality; this was after a great struggle and Parliamentary fight; it was a compromise. The struggle in this case was principally between Shields on the one hand, and Newcastle on the other.

225. Of whom do the Tyne Improvement Commissioners consist?—They consist of four persons named in the Bill, six persons qualified to be Newcastle Councillors, appointed by the Newcastle Council; two persons qualified to be Gateshead Councillors, appointed by the Gateshead Council; three persons qualified to be Tynemouth Councillors, appointed by the Tynemouth Council; and three of the South Shields Improvement Commissioners, appointed by the South Shields Commissioners.

226. Mr. Alderman *Salomons.*] Had that struggle you speak of anything to do with the Crown more recently than in 1850?—There have been differences on the river; but I am not aware of any question with the Crown; I have never heard of such a question.

227. *Chairman.*] Have you any information as to how that Commission works?—Very little information. I believe on the whole it works well;

well; there have been complaints, and there has been a Royal Commission to inquire. We have not heard so much of these complaints lately, except on the subject of pilotage. There are always different interests at work; there are two towns of Shields at the mouth, and there is the town of Newcastle and the town of Gateshead; they differ among themselves occasionally, but they seem to be proceeding with very large works, and are making considerable improvements in the river.

228. The constitution of these various Boards to which you have referred seems to have been founded chiefly upon the principle of election, although very variously applied; can you explain the circumstances which have led to the difference in those cases?—Each case depends so entirely upon its own circumstances that it is scarcely possible to give any general account of them; it would not be difficult to go into the history of each case, and show what the different interests were which it was thought desirable to represent.

229. Did it arise out of the difference existing in each special case?—Each special case stood upon its own grounds; in each case the power had been vested probably in some old corporation which did not entirely represent the interests they governed; those interests would complain and struggle, and they have got themselves represented in one shape or another.

230. Without undertaking to recommend any special plan for the management of the River Thames, do you think that the principle of election, which seems to have worked well in regard to other rivers, is applicable to the management of the River Thames?—I can see no reason *à priori*, why it should not, but it is very difficult to say anything specific, or make any particular recommendation; for there are very peculiar circumstances in connexion with the Thames which differ in many respects from many of the other cases; there are so many different interests; there are the shipowners below bridge; there are the owners of little steamers and craft above bridge; there are the dock companies, the owners and occupiers of frontage to the river, and the owners and occupiers of wharfs and quays on the shore; and then there are the merchants, who of course are interested in the goods they export and import; all those different interests make a very complicated case, and one that, as far as I am aware of, is different in its details from any particular case that has come under the notice of the Board of Trade.

231. Do you think that there are no general principles that can be applied to this case?—I did not mean to say that; I should think that the same principles of election and responsibility which are found to work well, and give satisfaction throughout the country, ought to do so in this case. I only meant to say that there are here a very great variety of interests, and that there is one specialty about it. In most of those other cases you can go to the principles of taking parties as electors who pay. In the case of the Thames, there are a very great number of interests which are very much concerned with the well-being of the river, who yet, as the thing stands at present, do not pay directly to the river funds at all.

232. Do you think it would be sufficient to limit the election to parties who pay direct rates?—In that case you would get a rather narrow constituency; there are other interests which are very much concerned, and which would be excluded by such a principle, unless indeed those interests were also to pay.

233. Mr. Alderman *Salomons.*] With regard to your knowledge of the proceedings at Liverpool, are their deliberations open?—Yes; they are all reported in the newspapers.

234. Is it the same in other places, Sunderland and Newcastle; are they in most cases open, so that ratepayers can go there as they can to a Sessions, and do reports of their meetings appear in the newspapers?—I cannot speak generally; it is so at Liverpool, I know. But I believe that in most cases the meetings are public. They are, I know, constantly reported in local newspapers; they are mostly public.

235. Mr. *Cave.*] You say the ratepayers would not be a sufficient constituency with respect to the Thames, but in some of the cases to which you have referred, there are several electing parties of the constituency, who are not ratepayers, are there not?—Certainly, in some of the cases; I think it is so at Sunderland.

236. So that there is no special difficulty with regard to the Thames?—No, it is a difficulty which existed in other places.

237. On the subject of ballastage, do you think the duties connected with ballastage, should be vested in the Conservators, or in a different body?—I think it should be vested in the Conservators. But if the Committee would allow me to read a passage from the same report which I have already referred to, the First Report of the Commissioners on Local Charges on Shipping, dated 1854, I think they will find that it puts the question of ballastage very clearly; it first speaks of the exclusive privilege of measuring and weighing in particular harbours, and then after saying that in some cases that this is practically injurious, they go on to say this: "But with regard to ballast the case is different. It is clearly of importance that the authorities of a harbour should exercise supervision over the supply, and also over the discharge of ballast within the harbour and its neighbourhood; if this be left to the uncontrolled discretion of the master of the ship, it is probable that he will, as the cheapest mode of getting rid of the ballast, throw it overboard as soon as he has obtained shelter, to the manifest detriment of the harbours. It does not, however, appear to us necessary that the power of the harbour authorities in this matter should be accompanied by any exclusive privilege, which can rarely, if ever, exist without enhancing the cost of the ballast. The exclusive privilege of supplying ballast has been at times granted to the authorities of a harbour apparently with a view of diminishing the expense of dredging by the sale of the ballast brought up. But where the exclusive privilege of supplying ballast enables the harbour authorities to receive a higher price than they would otherwise receive, it is clear that the shipowner is compelled either to take an inferior article, or to pay a higher price than that for which he could obtain the same ballast in a free market. In either point of view, it would be better both for the payer and receiver to substitute a direct tax on the vessel. Where the exclusive right of removing ballast is made a source of profit, it is even more plainly an inexpedient and wasteful manner of levying a tax on the vessel. The exclusive privilege of removing ballast in the River Tyne produces a large revenue, and the particulars of this case, which

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will be found in the Appendix (B.), under the head of Newcastle, will best explain the injurious effect of such a system. It must be borne in mind that ballastage, whether for the supply or removal of ballast, falls most heavily on vessels commencing or terminating a voyage in which the ship earns nothing; and at Shields it was a subject of great and, as it seems to us, just complaint, that a vessel arriving in the Tyne with cargo, and earning freight, should be less heavily taxed than a vessel in ballast."

238. There seem to be peculiar circumstances as to the ballastage in the port of London, are there not?—I suppose there is no port in the kingdom where the supply of ballast is so important, because there is no port in which there is such a large import of bulky articles, coal especially; where the ships so often require ballast, in order to make the return voyage.

239. In the Tyne it is quite the contrary, is it not?—Yes; the difficulty there is to get rid of the ballast.

240. Do you think it is desirable that the heaving of ballast should be exclusively confined to one body, and the dredging for it to another?—It would seem *primâ facie* to be a most undesirable arrangement.

241. Mr. *Cave.*] In the case of London, the Conservators dredge, and the Trinity House supply the ballast; do they not?—They both dredge, but the Conservators have the control of the dredging, whilst they cannot supply or sell the ballast.

242. So that, in fact, they cannot pay the expense of their dredging by the sale of their ballast?—No.

243. *Chairman.*] Will you trace the successive steps by which we have arrived at the constitution of the present Board of Conservancy on the River Thames?—In the first place, the great question of the title to the soil was settled by the agreement between the Crown and the Corporation in 1857, and the expediency of a Conservancy Board, as distinguished from both of those bodies, that is, of a public Board representing the interests of the harbour, was admitted by that arrangement. Then, by arrangements made under the Bills which Mr. Cardwell introduced in 1853 and 1854, all questions concerning any rights in the surplus of the monies arising from ballastage, and from buoyage, and beaconage, and all questions concerning the vested rights of the Trinity House, to apply those monies in charity, have been put an end to. And then, again, by what was done in 1859 with the Watermen's Company, a large part of their exclusive privileges had been put an end to; so that you have got all these different steps, clearing the way for something further, if it should be thought desirable.

244. Mr. *Longfield.*] Looking at section 3, it would appear to have been the intention of the framers of the Act, to consolidate all the powers and the various conflicting corporations in the Board of Conservancy. The Trinity House, you say, had a conflicting jurisdiction as to lighting and buoying?—It seems to me so.

245. Then, the Lord High Admiral, in respect of navigation, has a conflicting interest?—I should say, in the first instance, that those powers, which were the powers of the Admiralty, have been transferred to the Board of Trade; but they are simply powers of control for the purpose of preventing erections injurious to the navigation, that apply to all rivers and foreshores, and not to the Thames exclusively.

246. By section 3, each of these Boards, in order that the Board of Conservancy might work harmoniously, are required to nominate members to the Board?—That may have been the intention; but if so, the result seems to me to have been unsatisfactory.

247. Has it not had the effect of preventing that conflict of jurisdiction that you have spoken of?—That is more than I can say. But to give several bodies, all possessing different powers on a river, the additional power of appointing one, two, or three members of a new Board is obviously a very different thing from vesting all these powers in one Board.

248. Does it not appear from that to have been the object to have an harmonious working of these separate jurisdictions, by each of these jurisdictions nominating members to the Board?—For all I know, that may have been the object.

249. Has it not been the result?—That is more than I can say.

250. You do not know of any conflict, although there were conflicting jurisdictions, in point of law?—I have said that I came here to speak as to the law, not as to the working, of which I know little. There is one other little point which I ought perhaps to have mentioned with regard to the Act, namely, that although the conservators have power to appoint a harbour-master, he must be approved by the Trinity House.

251. Mr. Alderman *Salomons.*] Does not this Bill really represent a transfer of the power and jurisdiction exercised by the Lord Mayor, in the name of the Corporation of London. Were not large powers put in the Bill, merely to define the surrender of those powers by the Lord Mayor into this newly-composed body?—To transfer the requisite powers, to increase them, and to effect a settlement of the question with regard to the soil, appear to have been the chief objects of the Thames Conservancy Act.

252. *Chairman.*] Do you concur in the sentiment which I find in the preamble of the Conservancy Act, that the preservation and improvement of the River Thames is a matter of great national importance?—Certainly.

253. *The Lord Mayor of London.*] Have you experienced any practical inconvenience of the working of the Board?—The practical inconvenience would not necessarily come before the Board of Trade.

Veneris, 1o *die Maii* 1863.

MEMBERS PRESENT:

Mr. Cave.	Mr. Locke.
Mr. William Cubitt.	Mr. Longfield.
Mr. Joseph Ewart.	The Lord Mayor of London.
Sir John Hanmer.	Mr. Alderman Salomons.
Mr. Hutt.	Mr. Somes.
Mr. Lindsay.	Mr. Western Wood.
Mr. Richard Hodgson.	Mr. Blackburn.

THE RIGHT HONOURABLE WILLIAM HUTT, IN THE CHAIR.

CAPTAIN EDWARD BURSTAL, R.N., called in; and Examined.

Captain *E. Burstal*, R.N.
1 May 1863.

254. *Chairman.*] YOU are, I believe, Secretary to the Thames Conservancy Board?—I am.

255. Are you also an officer in the Navy?—I am.

256. What is your rank?—Commander.

257. Did you hold any office or appointment under the City of London previous to the formation of the present Board?—Not any at all.

258. Had you paid any particular attention to the preservation and improvement of the river previous to your appointment?—I was employed in all the surveys that were made, by order of the Admiralty, previous to the formation of the Thames Conservancy Board, at the time the Conservancy Bill passed. I was employed by the First Commissioner of Works to survey the river, and to make a report of the state of the river then as compared with its state in 1823, when Mr. Telford made a survey.

259. Sir *John Hanmer.*] Is that Mr. Telford the engineer?—Yes; he made a minute survey for the Corporation in 1823. When Sir Benjamin Hall was First Commissioner of Works, I obtained from the Corporation a manuscript map, which was made by Mr. Telford, which I had the use of, and I went over precisely the same sections as Mr. Telford did; and the report I made on the state of the river was made by a comparison of the sections made by me with those made by Mr. Telford.

260. *Chairman.*] Will you proceed to explain the order in which the Board transacts its business?—The Board of Conservancy is formed of 12 members, appointed by Act of Parliament: they hold their meetings every Monday, at 11 o'clock. They also have Committees—the General Purposes Committee, the Finance Committee, and the Audit Committee. The Board meetings are held on Monday; the General Purposes Committee meet on the Friday in each week; the Finance Committee meet the first Monday in every month.

261. Is there any other Committee besides the General Purposes Committee and the Finance Committee?—The Audit Committee.

262. Are the Committees and the Board, generally, well attended by the members?—They are all very well attended. I have got the attendance, and of course that is in the Minute Book; but I have here the number of actual Board meetings, and the number of members who attended.

263. Actual Board meetings in what space of time?—Five years, from 1857 to the 29th of September 1862. The average number who attended at the Board meetings I might put down as nine, eight or nine; they have never missed forming a quorum but once.

264. In the course of five years?—Yes.

265. Mr. *Hodgson.*] Where do they meet?—At their office in Trinity-square.

266. *Chairman.*] The Board consists of how many members?—Twelve members in all.

267. Mr. *Longfield.*] How many form a quorum?—Five for a Board, three for a Committee.

268. *Chairman.*] Of that number that you have mentioned (12), seven are appointed by the Corporation of London, I believe?—The Lord Mayor, two Aldermen, and four members of the Court of Common Council.

269. Are those gentlemen, in your opinion, specially qualified for the performance of their duties, from their personal experience of matters relating to the river?—Most of the members who are on the committee now have been members of the Navigation Committee of the City of London previous to the Board being formed—I believe they all have; and from my experience I should say that, what with the attention they pay to their business transactions in the various applications that are made, and also at the Finance Committee and General Purposes Committee, that the greatest amount of attention is paid to the business that comes before the Board.

270. You think they are well qualified, by information and experience, to perform their duties?—Certainly: and the fact of gentlemen coming from the Corporation of London, having to sit and perform duties upon Committees, qualifies them specially to sit at a Board and attend to the duties that have to be performed.

271. Has there been any change in the members of the Conservancy Board since you have been secretary?—Mr. Dakin was a member of the Board, and when he was made an alderman, Mr. Deputy Rathbone was appointed in his place. Admiral Austin was one of the Admiralty members, and I think Sir Frederick Nicolson took his place. Captain Sulivan was a member; he has recently retired, and Captain Baker is in his place.

 272. Are

Captain *E. Burstal*, R.N.
1 May 1863.

272. Are those the only changes?—The only changes that I remember just now.

273. Mr. *Lindsay.*] By whom are the other five members elected?—Two members are appointed by the Admiralty, one is the Deputy Master of the Trinity House, one an officer appointed by the Board of Trade, and the other an Elder Brother of the Trinity House.

274. To whom is the Board responsible?—They make their report annually to Parliament.

275. Then they are responsible direct to Parliament, are they?—Direct to Parliament.

276. Not to the Board of Trade, or any other branch of Government?—No; they make their report to Parliament once a year.

277. Mr. *Hodgson.*] Who appointed Captain Baker?—The President of the Board of Trade. He was appointed in the place of Captain Sulivan.

278. Mr. *Lindsay.*] What remuneration, if any, do the members of the Board receive for their services?—They do not receive any remuneration for their services.

279. *Chairman.*] They derive no advantage, directly or indirectly, from their appointment?—Not at all.

280. You have a large staff of officers, of course, employed under the Board?—Yes.

281. Who are the officers?—Myself, the Secretary, and in my office there is an accountant and two clerks; there is the engineer, Mr. Leach, and he has a surveyor and draughtsman under him. There are the harbour-masters; there is the senior harbour-master, Mr. James, Mr. Meaburn, Mr. Tucker, and Mr. Steward. The senior harbour-master has the upper district in the Pool; Mr. Meaburn is the harbour-master of the central district at Greenwich; Mr. Tucker is the harbour-master at Gravesend, and Mr. Steward performs the duties at the upper station at Limehouse. Those are the four harbour-masters.

282. Does that complete the whole staff?—That completes the list of officers. Then there are collectors. Mr. Baylis, an officer employed in the Custom House, is the collector of tonnage dues; Mr. Bezer, comptroller, and Mr. Powell is collector of tolls and rents; then there is a person of the name of Deal, foreman of the moorings, who has four men under his command, as a permanency.

283. What is the aggregate cost of the staff of officers?—I have not got it added up, but I will give the figures: "Salary of the secretary is 500 *l.* a year; the salary of the chief clerk in his office is 250 *l.*; the accountant, 180 *l.*; the clerk in the Pool-office is 125 *l.*, and the junior clerk has 110 *l.* The salary of the engineer is 690 *l.*, with 50 *l.* allowance for travelling expenses; then there is a surveyor, 230 *l.* a year; a draughtsman, 145 *l.*; and an assistant surveyor, 104 *l.* I may say, in addition to what I said before, there is a foreman of works, a person of the name of Lord, employed at three guineas a week, and a draughtsman at 163 *l.* a year; and there is an additional draughtsman employed when necessary; he is not on the establishment;" the harbour-masters, four in number, one at 500 *l.* a year, one at 400 *l.* a year, one at 350 *l.* a year, one at 300 *l.* a year.

284. Mr. *Cave.*] But you have two, apparently; did you not say, "Draughtsman, 145 *l.*"?—There is a draughtsman, an old man, who has been a very long time in the service; he does not do very much now, but he receives 145 *l.* a year.

285. *Chairman.*] There is, then, an established draughtsman and a temporary draughtsman?—Yes.

286. Will you state what are the whole expenses of the administration?—There is a statement showing the receipts and expenditure, and the various items as below.

287. Mr. Alderman *Salomons.*] What year is that for?—It is for three years—1860, 1861, and 1862.

288. *Chairman.*] Will you give the substance of it?—The tonnage dues in 1860 were 20,249 *l.* 11 *s.* 6 *d.*, that is for the year ending the 29th of September 1860; for the year ending 29th September 1861, 21,015 *l.* 5 *s.* 4 *d.*; for the year ending 29th September 1862, 21,520 *l.* 17 *s.*; the average for the three years, 20,928 *l.* 11 *s.* 3 *d.* Tolls, for the year ending 29th September 1860, 6,994 *l.* 4 *s.*

289. Tolls on what?—Tolls on the upper navigation barges. The tolls for the year 1861, 5,407 *l.* 5 *s.* 7 *d.*

290. Mr. Alderman *Salomons.*] When you say tolls, you mean tolls of the upper navigation, not the tolls payable by steamboats on the lower navigation?—There are no tolls from steam-packets on the lower navigation.

291. *Chairman.*] You are now stating the actual sources from which the income is derived?—Yes: "Tonnage dues, tolls, water and canal companies, rents below Teddington, fines for accommodation, ballast licences, and dividends on stock." Those are all the sources of revenue.

292. Mr. *Lindsay.*] What is the total amount of revenue on the average for three years?—35,000 *l.* per annum.

293. Mr. Alderman *Salomons.*] That includes the interest on your funded investment, does it not?—Yes.

294. Mr. *Hodgson.*] What is the total amount for 1862?—I have not that added up.

295. Sir *John Hanmer.*] Are the receipts you speak of after deducting one-third that you pay to the Crown?—No, they are the actual receipts.

296. The gross receipts?—Yes; the expenditure is on the other side.

297. You have to pay one-third to the Crown, have you not?—We have to pay one-third of all rents and fines, and ballast licence.

298. But the sum you have given does not include that?—No, those are the actual receipts; on the expenditure side it gives the amount paid to the Crown.

299. Mr. *Hodgson.*] The interest on stock is in the revenue, is it not?—Yes; the stock is an amount of money saved by the Corporation of the City of London from tonnage dues, and turned over to the Conservancy.

300. What is the amount of it?—Reduced Three per Cents, 54,586 *l.* 3 *s.* 10 *d.*, and New Three per Cents, 28,226 *l.* 7 *s.* 6 *d.*

301. Was that in 1862 or 1861?—That was the amount of stock that was turned over to the Conservators when they came into office.

302. Mr. Alderman *Salomons.*] That was turned over to you in 1857?—Yes.

303. You have not increased it?—No; some of that has been sold out; it stands to the capital account; it was sold out for the purposes of the Conservancy; it forms a part of the Conservancy Fund.

304. *Chairman.*] What is the total amount of this stock?—£. 82,812.

305. Will you now proceed to the expenditure?—The established charges, including the engineering department; will you have the average for three years, or for each year?

306. The average will do; you may put in the paper afterwards?—£. 4,281 *l.* 6 *s.* 9 *d.* are the establishment

establishment charges, including the engineering department; harbour service, 5,386*l.* 6*s.* 9*d.*; mooring service, 6,270*l.* 5*s.* 5*d.*; dredgers and lighterage, 6,294*l.* 6*s.* 3*d.*, collectors of tonnage dues, 479*l.* 3*s.* 2*d.*; receiver of tolls and lock-keepers, 920*l.* 9*s.* 3*d.*: upper navigation, 3,657*l.* 5*s.* 2*d.*; pensions, 950*l.* 6*s.* 8*d.*; sundries, 71*l.* 13*s.* 10*d.*; travelling expenses, 306*l.* 5*s.* 2*d.*; one-third of rents to the Crown, 1,232*l.* 17*s.* 8*d.*; the interest on navigation bonds, 4,581*l.* 10*s.*; law and Parliamentary expenses, 1,140*l.* 7*s.* 6*d.*; river keepers, 264*l.* 11*s.* 2*d.*

307. What is that item, the bonds that you spoke of?—That is the interest on navigation bonds, bonds taken on the faith of the tolls for barges on that part of the river above London Bridge.

308. It is set out in the printed report as 130,900*l.*, is it not?—Exactly.

309. Mr. Alderman *Salomons.*] That 130,900*l.* represents a debt that was owing upon the Navigation tolls to bond-holders?—Yes, that was a debt.

310. Then when the Conservancy was surrendered to the present Conservators in 1857, they received the assets that the corporation held which you speak of, Government stock, and there was a debt also outstanding; was not that so?—We received 82,812*l.* of stock, and a debt on navigation bonds, 130,900*l.*

311. *Chairman.*] What was the total amount of the expenditure?—The average yearly expenditure, that I gave you just now, 35,836*l.* 15*s.* 1*d.*; but this account does not include the construction of piers or any receipts from piers; there is nothing about piers in this account at all.

312. Mr. *Lindsay.*] Then you appear to have a balance in favour of revenue from that, do you not?—No; I may say that the expenditure during the last three years was high, because the Conservators have put new moorings in the river, and they have also gone to a very large expense in dredging to remove shoals; the expenditure on the part of moorings, certainly, will not be so great for the future as it has been for the past.

313. Then you have been encroaching on your capital account?—Quite so; it would have been quite impossible to have constructed the piers that have been constructed, and to have built a new dredger, which the Conservators have constructed, without having entrenched on the capital account for that purpose.

314. But does the ordinary expenditure of the year as a rule exceed the revenue, or is it less than the revenue?—The account I have just given you of 35,800*l.*, is more than what it would ordinarily be for the purpose of keeping things in order, but this has amounted to a large sum, because a great expense has been gone to for the purpose of building this dredger that I spoke of, and also for the purpose of buying a large quantity of new chains and new moorings, for the purpose of mooring coal ships in Bugsby's Hole, Woolwich, and Galleon's; that expense being once over, there will only be the expense of maintaining for the future.

315. Mr. *Lindsay.*] What was the cost of that dredger?—I think about 12,500*l.* I have not got the figures.

316. *Chairman.*] You say that the financial statement does not include the expenditure incurred for the piers, or the receipts from the piers?—No, it does not.

317. Mr. *Hodgson.*] Why have you excluded from the account the cash receipts from piers?—Because it would not give a correct idea of what the receipts and expenditure of the Board was, if those amounts were put in, because they are exceptional charges, charges made out of the capital account.

318. Are the pier dues exceptional?—No.

319. Then why exclude them?—They are in that account.

320. In the account you have just given us now?—Yes.

321. I thought you said that you had excluded them?—I mean in that account which I have given to the Chairman, which is a copy of the balance sheet.

322. But in the average receipts which you have given us for three years, is the cash received from pier dues included, or not?—No.

323. Why do you exclude it?—There is no pier account in it at all, either for expenditure or receipts.

324. But the expenditure on the piers, if I understand you correctly, is the expenditure of capital?—I can give you that.

325. Is it not so? Just answer my question?—It is quite so.

326. It is an expenditure of capital?—Yes.

327. The cash received for pier dues is an ordinary receipt, is it not?—It is.

328. But you have excluded it from the account you have given us?—I have excluded it from that account, but it is included in the account the Chairman has.

329. *Chairman.*] I do not quite understand the policy of this mode of keeping the accounts?—The account that I have given you, made up to 29th September, does include all.

330. But I mean the different mode of keeping the accounts, derived from the piers, the proceeds from the piers, and that of receipts of the Conservancy Board?—I did not know you wanted all this; I only had notice yesterday that this was required; but I have told you the ordinary expenditure of the Conservancy for the harbour, mooring service, and engineer's accounts; you can have the pier account if you think proper. I have got the amount of the cost of each pier; and I can tell you here the amount received, from memory.

331. Where is your place of meeting in the City?—At 41, Trinity-square, Tower-hill.

332. Does the house belong to the Conservancy Board, or is it rented?—They purchased it.

333. Are your meetings open to the public?—No, none of the public ever come in.

334. And no report is published of the proceedings of the Board, in newspapers or otherwise?—Not any.

335. The only communications, then, made to the public are through the Report which is annually transmitted to Parliament?—That is the only communication made to the public.

336. Upon the whole, do you find that this Conservancy Board enjoys the confidence of persons interested in the trade and navigation of the river?—The best answer I can give to that is, that we have had very few complaints.

337. There have been complaints, have there?—The principal complaint that we have ever had made to the Conservancy Board has been a complaint from an association on the Surrey side, called the Sufferance Wharfingers' Association, of a bye-law which the conservators made, No. 23 bye-law.

338. The Conservancy Board has been engaged in

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in litigation, has it not?—It was as far as that pier was concerned. Mr. Fennings, on the south side, complained of a pier having been constructed there, and the wharfingers on the north side also complained of a pier there; those are the only instances that I am aware of.

339. Mr. *Lindsay.*] Referring back to the account, I understand that you have not included in that account the cost of the construction of new piers or of the dredging machine, because you considered them to be an extraordinary expenditure?—Yes, they were quite so; it would not give the Committee a correct idea of the ordinary average expenditure of the Board; that was the reason I did not give it.

340. I think you have said that the Board were very attentive to their duties and regular in their attendance?—Yes.

341. What is the average length of the sittings of the Board on Monday?—They meet at 11 o'clock, and they seldom leave till half-past one; on several occasions they have remained till three o'clock.

342. Mr. *Hodgson.*] Do you mean to state that you have had no complaints except the two you have mentioned to the Committee?—I do not remember any other except those with reference to the pier on the Surrey side of London Bridge and that of Fishmongers' Hall, and the complaint of the 23d bye-law.

343. Is any publicity given to the proceedings of the Board at all?—No, excepting this; that piers about to be constructed are advertised.

344. Is that the only notice that is given to those who are interested in respect to the improvements that are going to be adopted by the Board?—I do not know any other notice than that could be given; it would not be interesting to the public to know that a certain shoal was going to be dredged; it would only be interesting to them to know that it had been dredged; and when the shoals have been dredged and the navigation has been cleared, then notices are put in the paper for the information of pilots and others navigating the river.

345. Is the notice which you have alluded to, as being given for the construction of the piers, a notice that is bound to be given by the Board under the Act of Parliament?—Yes, it is; and I may say also, that when any person applies for an extension of his wharf or embankment, a notice is given to his neighbours, on either side, requiring them to attend when the conservators go there to view the place.

346. Is that a statutory notice?—It is not a statutory notice, but it had been the custom with the Corporation of London, and it has been the custom with the Conservators.

347. Mr. Alderman *Salomons.*] You say the meetings are not public?—No.

348. When the public have anything to complain of, how do they make their grievances known?—By writing to me.

349. Then, when that is done, what is the next thing?—It is laid before the Board, and it has the Board's attention and consideration.

350. Are the parties heard?—Certainly.

351. But there is no publicity?—No publicity; it is not put in any papers.

352. Mr. *Hodgson.*] In case of difference of opinion at the Board, is the decision the decision of the majority, and adopted by the rest?—Yes; but there has very seldom been any division with the Board, very seldom indeed.

353. Mr. Alderman *Salomons.*] You said you have had very few complaints?—Very few.

354. Have you heard no complaints from parties who have wharfs, or those floating piers on the river, against the conservators coming in and displacing them by making piers of their own?—Yes; there was a complaint of the Greenwich watermen, but they were there without any sanction or authority, and the conservators, finding it necessary for the benefit of the public that such a pier should not remain, required its removal.

355. How many years were they there?—I do not know; they were there a great many years, but they were removed twice or three times, I think, by the Corporation of London.

356. Did they not establish their right at law to remain there?—No, I think not.

357. When you took possession of the conservancy, you found them there, did you not?—As I have said, they had been removed before by the Corporation of London upon two occasions; they had notice to remove from the conservators, as such a state of things was not desirable. It was a nuisance to the navigation; it was a nuisance to the approach to the stairs; and what the conservators did, when they caused its removal, was to put two dolphins and a good substantial boom between them, for the purpose of making an articial harbour for the watermen's boats, which the barge formerly made.

358. Do you know, of your own knowledge, that the pier had been removed by the Corporation?—Not from my own knowledge; but I know it from having heard it stated. The harbour master has told me so.

359. You are aware they were there for about 17 years?—I am not aware that it was so long as that; I do not know how long they were there.

360. Was there not a constant series of complaints of the encroachments of the conservators on what was considered the rights of individuals? I do not mean to say that they have been warranted, but have not complaints been constantly made, not only by the Greenwich watermen, but by wharfingers?—I have not heard of it, except the instances that I have spoken of before, on the Surrey side of London Bridge, and on the opposite side where these two new piers were built. I have not heard of any other complaints whatever. I quite recollect the Greenwich watermen's affair.

361. You have spoken about this debt of 80,000 *l.*, which was a fund given over to you, and the 130,000 *l.* of debt, which was given over against it?—Yes.

362. Have you heard of any complaints made against the Conservators, that some advantage was taken by the Conservators with regard to that debt, which bore a very low rate of interest?—I have never heard any complaint against the Conservators for the part they took in it; they have no power to deal with the question.

363. Has there not been an action at law with regard to that debt, as to who ought to pay the principal of it?—Yes, there has been, and the Conservators have taken high legal opinion as to their liability to pay it.

364. Was that action brought against the Conservators?—No.

365. Against whom was it brought?—I believe it was brought against the Corporation of London.

366. You do not know that accurately?—I know it as far as newspaper intelligence tells me; it

it has never been brought against the Conservators.

367. Has no claim been made against you, in any way, for the payment of that debt?—I never recollect any; we have never been asked for it, and I have not the slightest remembrance of any such claim.

368. Not for the repayment of the capital?—No, never.

369. Who are the parties who are responsible on these bonds?—The Conservators pay the interest of the navigation bonds regularly every quarter to the bondholders.

370. But they do not consider themselves responsible to pay the capital?—I believe not.

371. And yet the parties who claim repayment of the capital, have made their claim for it. You say you never heard of any such claim having been made against you?—I do not remember it. I have not the slightest recollection of such a letter coming to me, or of any such application.

372. With regard to the internal general management of the Board, let me ask you, who acts as chairman of the Board?—In the absence of the Lord Mayor, Mr. Thorp acts as chairman.

373. Has he been the acting chairman since 1857?—He has.

374. Does the Lord Mayor attend very often? The present Lord Mayor has attended very often, but the Lord Mayor, generally speaking, has not attended very often.

375. How often did the late Lord Mayor attend?—Mr. Alderman Cubitt attended twice in the year 1861, and once in the year 1862, but I should say this, that he submitted a question when he was attending the Board, and asked the members whether they were desirous that he should attend there, or whether they considered his attendance at the judicial bench was of more importance; I think what he said was this, that there was only one Lord Mayor, and that there were 11 other Conservators, and he did not consider his attendance was so important at that Board, especially considering the manner in which the business was attended to.

376. Then, in point of fact, as regards the late Lord Mayor, he attended once in one year, and twice in another year?—Yes.

377. Therefore, Mr. Thorp was really the acting chairman?—Mr. Thorp has acted as chairman.

378. Does he attend every meeting of the Board?—During the last five years there have been 282 Board meetings, and Mr. Thorp has attended 276 out of that 282.

379. How often has the Lord Mayor attended in those five years, excluding the Lord Mayor who is now present?—Up to the 29th of September 1862, 19 times.

380. Do the official members attend often?—I have got the return here of all the attendance.

381. I mean the members appointed by the Admiralty and the Board of Trade; those who represent official departments, do they attend regularly?—Yes, they attend very regularly and very attentively indeed.

382. We have not got the accounts of 1862 before us, but I believe there is a very large increase in the expenditure for piers, is there not?—There is.

383. Is not that in the nature of trading?—I do not know that it can be called trading, because the money taken for the construction of piers is taken from the capital account; that is, a part of the Conservancy fund, and the money is all spent upon the improvements of the river; therefore, I do not see how you can attribute that to a trading account.

384. Is it not the policy of the conservators to suppress all the piers that are conducted by individuals, for the purpose of placing themselves there instead?—I do not think there can be any doubt whatever that to have piers under one uniform control is an advantage.

385. Will you give me an answer to my question first, "yes," or "no," and then explain. Is not that so? below London Bridge, has there not been a deliberate intention on the part of the conservators to suppress all the steam-boat piers conducted by individuals for the purpose of placing Conservancy piers in their stead?—No; I cannot say that it has been so; for this reason. The pier belonging to the company at Charlton still remains with them; the Conservators are quite satisfied with the manner in which it is worked, and they have not interfered with it; nor have they interfered with the pier at the Commercial Dock; they have not interfered with the pier made by Mr. Cubitt, at the Isle of Dogs; but they did interfere with the Tunnel-pier, because it was a bad structure, composed of floating barges run out of the shore, attached end to end, which formed an entire obstruction to the in-shore water-way, and obliged everything, whether vessel or boat, to pass outside the whole of those piers, and to go down at the other side. Not only so, it also formed a very serious obstruction to the flow and re-flow of the water, causing large accumulations of mud to take place, above and below those barges. The piers which the conservators have built are open piers, on piles, under which barges may pass, and boats may pass at all times of the tide, as long as there is water over the shore, and causing also a free current and passage for the water up and down, thereby keeping the shore clean.

386. With regard to those floating piers; those floating piers were really so made, were they not, in consequence of the dispute that had existed between the corporation and the Crown with regard to the driving of piles?—I do not know at all. I never heard it. I believe they were put out by some watermen, generally speaking. What the Conservators have done in all cases where they have dispossessed these men (and there is one case in point just opposite here, at Lambeth,) is this, they have always bought the plant of them, and with respect to the Tunnel-pier, Lambeth-pier, and the piers at London Bridge, on both sides, they have employed the same men where their characters have been satisfactory, and those who have been dispossessed of their situations have been appointed by the Conservators to do duty on the new piers.

387. With the exception of Mr. Cubitt's pier, which was an entirely new pier, I believe, has it not been the course of the Conservancy Board to put up their own piers, and to get rid of those of individuals?—It has been in many instances, but it has not always been the case; the Commercial Dock-pier is an exception, the Pimlico-pier, the Vauxhall-pier, Nine Elms-pier, the Cadogan-pier, and Battersea Park-piers, are all exceptions to that.

388. We are talking about below bridge now; to that extent you are traders, are you not?—It is expending part of the Conservancy fund for those

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those piers instead of receiving a dividend. I should beg to submit to the Committee that that is more a matter of opinion than of fact; the Conservancy Act provides and requires that the Conservators shall do that.

389. Have you afforded to those individuals the facilities of making piers of that kind themselves under your superintendence?—The pier that has been recently constructed off Fishmongers' Hall.

390. I should like to have an answer, yes or no, to my question; have you offered to those persons the facilities of making piers for themselves under your superintendence?—In one instance we have.

391. Then it is only in one instance, is it?—That is off Fishmongers' Hall; I would say, in answer to that, that the individuals who held these piers were not in a position to have a pier granted to them. The Act does not empower persons to build piers, except they have premises upon which the said piers abut, and therefore those persons could not have built a pier from public stairs.

392. You say you offered to the Fishmongers' Company the power of doing it themselves?—Yes; a deputation from the Fishmongers' Company waited upon the Conservators at their office, and told them that they had failed in inducing their neighbours to co-operate with them in constructing a pier off their premises; the Conservators said "we shall be very happy to consider any application from you for improving your own pier;" they made an application, and submitted plans; the plans were approved by the Conservators, approved by the Admiralty, and referred to the assessor; and the terms upon which the Conservators made the grant, or offered the grant, were made known to the Fishmongers' Company; they were some considerable time, I think, nearly a year and a half, without taking any steps whatever to erect the pier; and the Conservators saw the necessity of improving the accommodation in that locality, so they determined to erect a pier themselves.

393. Did not that negotiation fail because you would not give them an absolute title to that pier?—No, I have never heard such a thing stated; the terms were like all grants made by the Conservators, where the structures are not of solid brick or stone, but such as piles, are granted to this effect, viz. during pleasure on the payment of a yearly rental, and I think the rental that was assessed on the pier, proposed to be constructed by the Fishmongers' Company, was 25 *l.*

394. Was not this the cause of the failure of the negotiation, that they could not comply with that condition "during pleasure," which would enable you to come in at any time and remove their property?—We have never had such an opinion expressed, either by word or by writing, at the office.

395. But, in all fairness, would not that be the conclusion they would come to, that to lay out money upon a pier which would only be granted during pleasure would not afford any security whatever for making an investment?—I have never heard that that was the reason; I have stated all I know about it.

396. Sir *John Hanmer.*] You say that none of the public come to these meetings of the Board. Supposing any merchant or shipowner, or person interested in the navigation of the river, should come, would he be excluded?—Such a question has never arisen; perhaps some member of the Board may be able to answer that question; I could not tell what the Board might do.

397. There is something about a debt which I cannot exactly understand; it seems to relate to a large sum of money; I understand you to say that you pay the interest of certain bonds?—Yes.

398. But you do not consider that you owe the capital?—The Conservators have obtained legal opinion upon the subject, which opinion I have with me. (*Witness handed it in.*)

399. Who is to pay off this debt; it is to last for ever, is it?—The Conservancy Act provides a method of paying off the debt, which is pointed out in that case.

400. Who is to pay off this debt; who is liable for the capital?—I am not informed.

401. Then there is a large debt as to the liability for which there is a dispute; meanwhile the Conservancy Boards pays the interest upon the bonds; is that the fact?—That is quite correct.

402. You pay the interest to the bondholders, I suppose?—Yes.

403. Mr. *Locke.*] Was that a debt incurred by the Corporation of London, previous to the passing of the Act?—It was money borrowed by the Corporation upon the faith of the tolls above London Bridge; they are called navigation bonds.

404. It was borrowed upon the security of those tolls, you say?—Quite so.

405. Those tolls were handed over to the Conservators, were they not?—Yes.

406. And the Conservators do not take the debt, is that so?—There has been a question submitted to a high legal opinion, and I am not aware who is to pay that debt.

407. Mr. *Joseph Ewart.*] When are these bonds redeemable?—There is no time.

408. Sir *John Hanmer.*] Supposing I lent 1,000 *l.*, where am I to get my capital from when I want it again?—There have been no bonds issued lately.

409. But supposing I was a creditor, and I wanted my money, where am I to get it from?—That is a difficult question.

410. You do not know?—I do not know.

411. Mr. *Longfield.*] Have you one of the bonds here?—No.

412. Or a copy?—No.

413. Will you state the course of business at the Conservancy Board?—The first thing is to read the minutes of the last meeting; after that the recommendation of the General Purposes Committee that sat between the last meeting and the present. The chairman then gives an account to the members in each instance of the merits of the case, and each subject is discussed by the members, and if they approve of the recommendation of the Committee, a resolution is passed accordingly.

414. Is there any particular mode in which the various heads of business are brought before the Board?—Yes, I was just going through them seriatim; after the report of the Committee for the past week has been read to the Board, the treasurer's account is laid upon the table; and three books, one for the expenses of the engineer, containing the expenses incurred during the past week; another for the harbour and mooring service and one for piers, and requisition books for all stores wanted in each department of the service.

415. Do the General Purposes Committee divide the labours under several heads, for instance, buoyage, ballastage, pierage, and so on; are there several distinct heads under which the business comes

comes on before them each time?—No, not at all; at our Board meetings, supposing a subject cannot be decided by the Board then, and it requires further consideration, it is referred to the General Purposes Committee; and then, when the General Purposes Committee meet on the next Friday, an agenda is prepared, and the subject is gone into by the Committee; plans are examined, the engineer is heard, or the harbour-master is heard, according to whatever the subject may be, whether relating to the engineer's works or the harbour-master's works. It very frequently happens that the Board require to see the thing themselves, and then they go on view: they go in the harbour-master's boat, or proceed on view by the nearest possible route and examine the place, notice being given to the parties to attend.

416. Does the Chairman inquire whether any complaints have been received during the past week as to the state of the buoyage, beaconage, lighterage, or anything else?—The Chairman does not inquire, but it is the duty of the officers to report to me. The letters are all registered in a book, and on the Saturday before the meeting of the Board I insert everything on the agenda for the meeting on the Monday. Therefore, nothing escapes; there is not a report from any officer, whether he be the harbour-master, the engineer, pier-master, or the river-keeper, or whoever he may be, but it comes to me, and that report is laid before the Board at their meeting.

417. Do I understand, then, that there are weekly reports from the authorised officers on inspection as to the state of the river navigation, and what is to be done in reference to it?—That is so.

418. Are there weekly reports? — Weekly reports from every officer: the harbour-master reports once a month as to the general state of his district, but if anything occurs *ad interim*, he reports that immediately it occurs.

419. Is it the duty of those officers to make daily and weekly inspections of the river?—It is their duty to be on the river every day, and to examine everything during the time they are on the river; and if anything occurs to them as going wrong, if it is in their immediate department, they put it right themselves; if it is a thing that should come before the Board, they report it to me directly.

420. Then weekly minute reports are required by the Board from their various officers?—Yes; nothing is allowed to be done without being reported to the Board, and those reports are put before them every week.

421. Do the Board examine those weekly reports?—They do.

422. Do the Board make any periodical visits themselves on the works and the river within their jurisdiction?—They frequently go, but their visits are not periodical; they have no fixed time for doing so. Sometimes it happens that five or six things require to be looked at on the river, and they take the opportunity of going to see them all, whatever the number may be.

423. You say that Byelaw No. 23 was complained of, do you not?—Yes.

424. Has that byelaw been repealed?—It has been repealed, and another byelaw substituted for it.

425. The Act of Parliament, I see, vests in the conservators the entire jurisdiction and power as to piers of every kind and as to licences: have you found that the private erections were encroachments which were prejudicial to the public, and therefore to be stopped?—The private piers that the conservators have caused to be removed, and for which they have substituted the present erections, were very great encroachments and very great nuisances, and were complained of very much.

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426. Did they affect both the public and the state of the river?—Quite so.

427. Have you on any occasion refused to license the erection of convenient floating piers, or other piers, for the benefit of the public?—There has been only one application made that I remember; viz, that of a steamboat company for permission to erect a pier at St. Paul's, and the conservators declined to grant it.

428. Why so?—I do not know why, but I imagine for this reason, that the pier which they intended was entirely for themselves (for their own boats), and not for the use of the public The piers that the conservators erect are for the use of everybody who chooses to call there, whether it be one steamboat company or another; but this pier was entirely, as far as I am aware of, for the use of that company.

429. In the erection of piers by the conservators, are the accommodation of the public, and the benefit of the river, the objects which they have in view?—They are the motives by which they are actuated, I am quite sure.

430. It is not done for the purposes of gain, is it?—No; the piers are very little gain to the conservators; a large amount of capital is expended.

431. You are required, I see, by Section 61, to give notice before you license any person to erect a pier?—We always give a month's notice in the papers: the Act provides for that.

432. Do you, as a person acquainted with navigation, know that it is essential that a very strict control should be kept up over the erection of piers, both for the benefit of the public and the preservation of the navigation?—I think there can be no doubt about it; the piers being under proper discipline and control is decidedly for the advantage of the public. I have had some particulars relating to the working of the Temple Pier furnished to me by the person who has charge of it, and the description he gives of the state of it is certainly most lamentable: he came to my office a short time ago, and delivered that paper; he was in a great state of distress about it, and said that the men were mutinous and disorderly.

433. Mr. *Locke.*] Mutinous to whom?—To the person who has the position of pier-master; that the men were mutinous to him, and that they would not in anywise act under him.

434. Mr. *Longfield.*] The conservators, by this Act, have very considerable control over the use of the piers, have they not; and they can, under the 64th section, appoint proper persons to take care of them; and great powers are vested in them, are there not?—Yes.

435. Do you consider that those powers have been useful to the public?—I think there is no other general opinion but that.

436. Do the conservators look narrowly to the rules and regulations for the navigation of the river?—Yes, certainly they do.

437. Have complaints been made as to the operation of any of those byelaws?—The only byelaw I have ever heard any complaint of has been No. 23 byelaw.

438. And that is repealed?—It is repealed; a byelaw is substituted for it. When the Com-

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missioners were framing the byelaws, they communicated with several steamboat companies (the Navigation Company, the Screw Steampacket Company, and several others), asking for suggestions as to these byelaws. The Screw Steamshipping Company sent us a list of several suggestions which they proposed; and amongst them they complained that barges of a large tonnage were so drifted about by the action of the tide that, with only one man in them, they were quite unmanageable; and they submitted that a byelaw should be made for the purpose of obliging barges of 50 tons and upwards, with cargoes in them, to have a second man on board. The original byelaw, as submitted to the Lord Chief Justice, stated that all vessels navigating the river shall have "able and skilful" persons on board.

439. Without entering into details, did you enter into the complaint and remedy it?—Quite so; it was stated that they should be "able and skilful" persons.

440. *Chairman.*] That all barges of a certain size should have two able and skilful persons on board?—Yes, above 50 tons. The solicitor told me that the Lord Chief Justice did not like that term, and that he substituted the words used in this byelaw. He said the law points out who are to be the persons to navigate, and therefore the byelaw should designate them. I am given to understand that some of the wharfingers complained: I have a letter from Mr. Arckoll (who is a solicitor, and, I believe, Secretary to the Sufferance Wharfingers' Association), complaining of the action of this byelaw, which they said obliged a second man to be on board, that second man to be a freeman; and they considered it contrary to the provisions of the Watermen's Act. The conservators were only desirous of having two competent persons, whoever they might be; the law provides for the rest, and they substituted another byelaw.

441. Is that byelaw at the end of your printed book of byelaws?—Yes; the conservators are still of opinion that it is necessary, for the large-class barges floating about the River, to have the means of locomotion better than that they can possess by having one man; and I believe it is the opinion of every person who navigates the River that an extra person should be on board a vessel of so large a class.

442. Mr. *Longfield.*] Have the various officers of this Board full work to do for their salaries?—Their time is fully occupied.

443. Are the duties imposed upon the officers heavy?—Yes, they have got quite as much as they can possibly get through in the time: as far as my office is concerned, I can answer for that most satisfactorily.

444. Are you acquainted with the state of the Thames between those limits under the operation of this Conservancy Board?—I am intimately acquainted with it.

445. Can you state whether it is satisfactory or unsatisfactory in general; and if unsatisfactory, will you tell the Committee what it wants?—A very great change has taken place for the better in the navigation. Directly the conservators came into office, they directed a report to be made of what shoals there were, and what steps were desirable for removing those shoals; and I believe that the engineer in connection with myself made a report, I having recently made a survey of the River; and they set their dredges to work and removed a great number of shoals.

446. Has the waterway been improved?—Very considerably indeed.

447. In depth and in the facility of navigation?—There is no question about it. Vessels in the Pool and Horsleydown Tier belonging to the Steam Navigation Company, that used to lie aground in nine feet of water, now lie afloat in 14 feet. Vessels between the Hermitage and Wapping entrances of the London Docks in the Baltic trade used to ground in about eight or nine feet of water, and now lie afloat, and the same in some of the tiers off Radcliffe: a large shoal, the Limekiln shoals, off Cuckold's Point, which had only nine feet of water, has been deepened to 15.

448. Then, during the operation of this Act, in six years the Conservancy Board have improved the navigation of the river considerably?—Very considerably indeed, and a great many pilots are ready to bear testimony to that.

449. What have you done as to buoyage and beaconage?—Do you mean buoys for keeping clear of shoals, or for attaching moorings to?

450. Both?—There is not very much of that in the river as respecting buoys for shoals.

451. What have you done as to moorings?—Wherever the moorings were at all found defective (and they are frequently examined), a new chain, tested to 100 tons strain, has been attached. The newest and best form of shackles and swivels have been examined, and additional moorings for colliers, in Bugsby's, Woolwich, and Gallion's Reaches have been put down, which enables 160 colliers to lie at those moorings now, where formerly only 90 or 95 could lie at their anchors, and suitable buoys have been attached to the same.

452. Have you then, for the accommodation of vessels, improved the moorage of the river very considerably since 1857?—Very considerably indeed.

453. Are you proceeding to do so as your funds enable you?—We have trenched very largely upon the capital account, for the purpose of the works you have just referred to, to provide new moorings and to put them in a good and efficient state; and the expenditure on that particular account for mooring service will not, after these are completed, be so great as it has been during the last three years.

454. Have you received complaints of the deficiency of those moorings?—Never.

455. As to ballastage, is that satisfactory at present?—The conservators have nothing to do with the ballastage; that is vested in the Trinity House.

456. Is that a defect in this Act? Would it be better, do you think, if it were vested in one Board; or does it work satisfactorily, as far as you know, in the Trinity Board?—I have paid very little attention to the question of ballastage. I have heard complaints, but I have paid very little attention to it.

457. Do you know anything about the question of beaconage, which is a question also referred to us, and is a matter under your control?—The only occasion on which the conservators put a beacon was to mark a shoal in the river.

458. It was stated by Mr. Farrer that it seemed anomalous that there should be a concurrent jurisdiction as to this river in the Admiralty, the Trinity Board, and the Watermen's Company: have you found any difficulty arising from that; any disputes or conflicts of jurisdiction?—The only conflict of jurisdiction we have ever had

had was with the Trinity Board about the placing of the beacon to which I referred just now. The conservators observed some vessels on the ground on the shoal there, and they thought that much better marks might be placed for clearing it than had been placed by the Trinity House; in fact, a large shed had been built up in front of the Trinity House beacon, and the marks were obliterated, and the conservators put down a beacon in the locality, which they considered was better.

459. How was that dispute settled?—Th Trinity House remonstrated, but there has been nothing more done since that.

460. Upon the Conservancy Board there are officers from the Trinity House?—There are two, the deputy-master and one of the Elder Brethren.

461. Does that arrangement, in your opinion, conduce to the efficiency and harmony of the working of the Board?—Very much so; there has been no quarrel; in questions of beaconage, and in questions on the removal of shoals the services of the Elder Brethren of the Trinity House are very useful.

462. Do you think the Conservancy Board would be rendered more useful if there were elected members on it?—Elected by whom, may I ask?

463. By those most interested, the merchants frequenting London, or something in relation to the system of navigation on the Clyde or at Liverpool?—That is quite a matter of opinion, I think. It appears to me that they have really worked very well. I have heard so few complaints that I can come to no other conclusion. I might take the liberty, perhaps, of saying that they seem to have done the work very well indeed.

464. Mr. *Lindsay.*] You say that the Conservancy Board is an irresponsible Board?—It is responsible to Parliament.

465. And to Parliament only?—Yes.

466. Consequently, if the public make a complaint, the decision of the Conservancy Board is final?—If the public made a complaint as affecting themselves, do you mean?

467. As affecting themselves, or say, a portion of the public?—I suppose so; if a person was to make a complaint to the conservators, and that complaint received, which it would do, the attention of the conservators, the person would get his reply from them.

468. Then, in fact, the public has no appeal from your Board, except to Parliament; is that the case?—I should think not.

469. Mr. *Locke.*] They are not representatives, in point of fact?—They are not representatives.

470. Mr. *Joseph Ewart.*] Are the members of the Board elected for any particular term?—For five years.

471. And then they are eligible for re-election, I suppose?—They are.

472. And are they generally re-elected?—Yes, generally the Admiralty re-appointed their member, and the Corporation of London re-elected theirs.

473. You have a marine surveyor, I think?—We have a surveyor.

474. Is he what they call a marine surveyor?—He has learnt the art of surveying, and he is perfectly compentent to make all the surveys that are required.

475. Does he survey the river periodically?—I will explain it; he has made a complete survey of the river from Teddington down to Gravesend, and when the conservators are about to remove a shoal, a minute survey is made of that shoal before the dredging is commenced; the Board then direct to what depth the dredging shall be carried, and the surveyor attends to the work during its operation, and when he reports to the engineer that the work is done to the depth ordered by the Board, the dredger is taken away; a complete survey is made of the river where the shoal was, and a report from the engineer is made, and his plan is submitted to the Board.

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476. How often does he generally make a survey of the river?—He makes a survey of different localities, and as the secretary, I can answer for it, he is constantly at work.

477. Has he the power of laying down buoys without the authority of the Board?—Certainly not, nothing is done by any officer except with the authority of the Board.

478. Mr. *Cave.*] You say that there is no appeal except to a Court of Law?—I am not aware of any.

479. At the same time, you have had litigations, I think, have you not?—Yes.

480. Therefore, practically the appeal is to a Court of Law?—Yes.

481. Will you tell the Committee what the constitution of the General Purposes Committee is?—There are three members of the Corporation of London, one of the Trinity House, one of the Admiralty, and one of the Board of Trade.

482. Then there are four members, are there?—The Lord Mayor is a member by the Act, of all committees, *ex-officio.* There are three members of the Corporation, one from the Board of Trade, one member from the Trinity House, and one member from the Admiralty.

483. Then there are six members?—And the Lord Mayor.

484. Do those six members generally attend?—About four out of the six upon an average; four or five, sometimes they are all there; we have never had less than three.

485. I suppose you find on this Board, as in most Boards, that the regular attendants are few in comparison with the others?—No, when I say there is an average attendance of about eight or nine, and very frequently ten, that may be taken as an answer to your question.

486. Then, in fact, the Board generally does its business, and it does not fall into the hands of two or three of the regular attendants?—They refer a great deal of the working part of it, to the General Purposes Committee, and they make full inquiries into things; they get proper plans, they go and view the places, and report to the Board what has been done. Therefore the General Purposes Committee is, you may say, the working Committee of the Board.

487. Then, in point of fact, the General Purposes, being the Board for all practical purposes, those who actually manage the river, are confined, as I said before, to four or five individuals, members of the Board; is not that so?—There are other duties to attend to besides the management of the river; there is the financial part of the business.

488. Is the General Purposes Committee appointed for the general management of the river?—Yes, for what you may call the out-door work.

489. When was the present number of your working staff fixed?—There has been no alte-

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ration in that during the last three or four years.

490. Has the navigation of the river increased much during that time, the number of ships coming up, and so on?—The best criterion to give you, would be this, that the tonnage dues have slightly increased.

491. Have you not heard complaints that the present number of officers is not sufficient for the work they have to do?—I cannot help saying that we have got quite as much to do as we can attend to, and I do not think it will be long before I submit to the Board a proposition to give us a little more help in the house; but I think that the officers have worked assiduously, and the work is so kept up that there is nothing in arrear.

492. Mr. Alderman *Salomons.*] Has there been an increase also on the upper navigation as well as the lower?—There has been a slight increase in the upper navigation.

493. Mr. *Cave.*] With regard to the piers, I do not quite understand you; of course you interfere with regard to those piers that you think are badly made on the river; but do you ever interfere as competitors for the purpose of placing a pier, which is a good one, under the supervision of the Conservancy Board; do you interfere with the pier except for the reason of its being a bad pier?—We never have done so.

494. You stated just now that you thought all piers ought to be under the Conservancy Board generally?—Yes.

495. But you have not acted upon that idea?—No. In many instances the piers have been very good structures, and very well looked after, and the conservators have seen no reason to interfere with them. The Commercial Dock Pier a very good structure, the Vauxhall Pier, Pimlico, and the Nine Elms Pier, are very good structures; and as long as the conservators are satisfied that the pier is not interfering with the navigation, and is respectably conducted, they do not interfere with it.

496. When you find a bad pier, do you give the owner an option of turning it into a good one, or do you take it out of his hands?—With respect to the Tunnel Pier, where the Conservancy Board put a new one, the people had not the means of re-constructing that pier; and not only that, I do not think that the conservators considered that it was desirable that piers should be vested in the hands of such persons as they were. They were watermen.

497. *Chairman.*] Will you answer Mr. Cave's question?—I do not know of any instance that has occurred; St. Paul's Pier was a bad pier, certainly, and the conservators did not in that instance give the owners the option of reconstructing it. They considered it was for the benefit of the public that they should construct the pier with their funds, and manage it themselves, and that any person may use it.

498. Mr. *Cave.*] Then the operation has rather been, to make the piers on the river a monopoly of the Conservancy Board; when I say a monopoly, I mean under their jurisdiction?—Quite so.

499. You say you have nothing to do with ballast, but the 49th bye-law says you have a good deal to do with ballast above bridge?—Yes.

500. You have the entire control above bridge, have you not?—The entire control.

501. Have you heard any complaints with regard to the way in which the ballastage has been managed above bridge?—No, none at all; I may remark that with respect to the ballastage above bridge, the steps which the conservators took with respect to dredging for ballast and sand, and so on, above bridge, appears to have worked very well. They grant licenses to persons to dredge the river above the bridge, and on the back of the license it states where they shall dredge, so many yards to the right or left of the centre of the river, and the river keepers and the foreman have notice of every person who has a ballast license, so that nobody can work who has not a license; and if they are found working beyond the limits of the license, so as to endanger the banks, they become punishable; therefore, I have every reason to believe they are in very good order.

502. Does the Conservancy Board supply and sell ballast to shipowners above bridge, in the same way as the Trinity House do below?—Not at all.

503. You do not deal in ballast?—We never sell any ballast whatever.

504. *The Lord Mayor of London.*] You have been asked about the debt of 130,900*l.*; was that debt transferred at the time of the formation of this Board to the Conservancy Board?—Yes.

505. And with that liability was their capital also transferred?—Yes; a capital of 82,000*l.*

506. The objection that they would not transfer their guarantee from the Corporation to the Conservancy Board has arisen from the bondholders, not from the Conservancy Board, has it not?—I presume that is the case that was decided in the Queen's Bench.

507. The Conservancy Board had taken over the assets, and are using them now, in the way of making larger payments than the revenue, in making dredging machines, and so on?—Quite so.

508. And out of the capital so transferred these piers that you speak of have been erected?—Yes; and the new moorings, and the dredging vessel.

509. The Chairman has asked you whether this Board enjoyed the confidence of the public, the principal functions of this Board are, I believe, to control the persons on the banks of, and connected with the river?—Yes.

510. And, among others, the Board has a control over companies and other persons, who are in the habit of committing depredations in the shape of turning any objectionable material into the river, is that so?—That has been a subject which has given the conservators a very great deal of anxiety, and it has given their officers a very great deal of work to put a stop to the practice of allowing deleterious fluids and other foul matter being passed into the river; it has led them into litigation with gas companies, and a great many of them have been fined and otherwise punished for placing pipes and passing gas refuse in a surreptitious manner into the river from their premises; in many instances pipes have been placed surreptitiouslyfrom gas companies' premises into the sewers, some little distance inland, and from thence into the river, which has been discovered by the officers of the Conservancy Board, and when brought before a court of law a stop has been put to it.

511. In the exercise of those functions, they would necessarily be brought into antagonism with those

those parties, would they not?—No doubt about it.

512. I understand there is an association formed with a view to an inquiry into the functions of this Board; did not that arise from the agitation with regard to the two piers at each side of London Bridge?—I believe that the pier on the Surrey side, and the two piers on the opposite side, have been the cause of it all.

513. Did the Fishmongers' Company have the opportunity of erecting their pier on the same terms on which all the other piers on the river are erected?—Precisely the same; to remain during pleasure, upon the payment of a rent.

514. It is manifest, is it not, that no body, either public or private, can have any other than such a tenure in the body of the river?—Not in the body of the river, certainly not; if it is an embankment adjoining their own premises, then a grant for that would be given under seal; but for such things as piles and jetties under and around which the tide flows, the Conservators only give a permission, signed by me, upon the payment of a certain rent for the same.

515. And is that the only practicable way in which such an erection could by possibility be permitted?—Yes; because otherwise if in practice a work of the sort turned out to be an obstruction, it would preclude the Conservators from ever causing it to be removed.

516. Was it upon those grounds that the Fishmongers' Company had permission to erect the pier themselves, subject to that invariable condition?—Upon the same grounds that all grants are given for temporary works out into the river, and which would by any possibility whatever be required at a future time to be removed.

517. With regard to piers and other erections, is it the invariable custom for any person requiring any accommodation in the bed and soil of the river to make an application to have the spot viewed, to have it considered by the Committee, and a rent charged?—Invariably there is no other process.

518. Were the piers on the river which have been replaced by the Conservancy Board, in all cases structures which were not fit structures for the River Thames?—They were structures that were dangerous, unsightly, inconvenient, and very great obstructions.

519. You have been asked about the popular element of the Board; you say that the Lord Mayor changes once a year?—Yes.

520. And that the five corporation representatives are elected annually, and are sent as delegates?—Just so.

521. Then, in point of fact, the only popular element in the construction of this Board is the corporation element?—I do not quite understand what you mean by the only popular element.

522. Well, the only person periodically elected?—Just so; what I apprehend your Lordship means is this: if a gentleman is not elected to the Court of Common Council every year, he would cease to be a conservator.

523. Then the term of office of the corporation representatives is this: the Lord Mayor, changing annually, the five other members changing every year, subject to their being re-elected every year?—Quite so.

524. Then as far as the corporation is concerned, there is a revision every year?—Every year; if a member of the Court of Common Council goes out, of course he is no longer a member of the Board; the Court of Common Council would then appoint another in his place.

525. Are you not aware that the gentlemen who have been sent by the Corporation of London were all of them formerly members of the Navigation Committee?—I think I stated so in the early part of my evidence, that nearly all the members of the Board sent from the corporation had been members of the Navigation Committee previously.

526. I understand that the Conservancy Board do not themselves raise any difficulty about the liability to the capital?—Not at all; they are only anxious and willing to do what is right, and they submitted the question for a legal opinion.

527. In receiving and using the assets, do they expect that they will be liable for the debts?—I have not heard anything about that.

528. *Chairman.*] That is provided for by the Act of Parliament, is it not?—It is, in this way, that if the receipts for the year exceed the expenditure, the excess goes towards the payment of the bonds.

529. Mr. *Locke.*] The Lord Mayor has stated that the question was raised by the bondholders who were parties to the action that was brought in the Court of Exchequer?—Between some of the bondholders and the Corporation of London.

530. Did they bring an action against the Corporation of London?—I believe so.

231. To recover the amount of money they had lent, I suppose?—I think they were bondholders to the extent of 10,000 *l.*

532. Was not the answer of the Corporation that the liability now rested with the Conservators?—I think so.

533. Are you aware that the Lord Chief Baron, when the decision was given against the bondholders, made some very strong observations, and said that he was compelled to do so, but it was a most unjust case; are you aware of that?—Yes.

534. That the bondholders, in point of fact, were shuffled off between the Corporation and the Conservators, and by that means could not get their money; do you recollect that?—I recollect reading the decision of the Lord Chief Baron.

535. Is it not the fact that they had no opportunity of suing the Conservators, and the Conservators had no money, although you say they will have some, and the Corporation said they were not liable?—What I say is this, that the Act provides for the payment of any monies borrowed which would be upon the bonds of course, and that when the receipts exceed the expenditure, then the bondholders have a claim.

536. How to be paid, by you?—Yes.

537. But previous to that Act of Parliament the bondholders had their right of action against the corporation, had they not?—I do not know; that is quite a legal question.

538. But this Act of Parliament intervening, transferred them to the conservators of the River Thames?—I am not aware whether the corporation are liable under their corporate seal or not; at that time I believe the only claim which the bondholders had was upon the tolls above bridge, and at the time those bonds were given the tolls were about three or four times the amount they are now.

539. The Lord Mayor has asked you about the constitution of this Board, and whether the only popular element in it is not contained in the six

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persons who had been elected by the corporation of London; have those six persons, namely, the Lord Mayor and the five corporators, any constituents whatever among those persons who are directly interested in the carrying out of this Thames Conservancy?—None whatever, that I am aware of.

540. They are elected by the different wards, are they not?—Exactly.

541. In some wards, are you aware that the number of electors amounts to about 60?—I am not in the least aware.

542. And that these are merely occupiers of houses of 10*l.* a year in any part that may happen of the City of London; is that so?—I do not know anything about that.

543. Perhaps you will mention the names of the gentlemen who comprised the five Corporation members; first of all, we know there is the present Lord Mayor?—There is Mr. Alderman Humphery, Mr. Alderman Hale, Mr. Thorp, Mr. Turnley, Mr. Fry, and Mr. Rathbone.

544. Mr. Alderman Humphery, I believe, is connected with the waterside?—Yes, he has large waterside premises.

545. What is Mr. Alderman Hale's occupation?—He is in business in the City; what his business is I do not know; I rather think he is in the oil and tallow trade.

546. Has he any connection with the waterside?—I do not know whether he has or not; I don't know that he has.

547. Have the others?—Mr. Rathbone has a large wharf, called Trig Wharf, and he does a great deal of business there.

548. As to Mr. Turnley, what has he?—He had; I don't know whether he has now or not.

549. What connection has Mr. Thorp with the river?—I do not know that he has any connection with the river.

550. Who is the other gentleman?—Mr. Fry.

551. What connection has he with the waterside?—I do not think he has any direct connection with the waterside; but he is a member of the Finance Committee, and certainly a most useful person upon that committee.

552. He has no connection with shipping at all, has he?—Not that I am aware of.

553. Is there any member of the Board who has any connection with shipping?—I do not know whether any of the Elder Brethren of the Trinity House have or not; but I don't know that there is anybody connected with the shipping trade.

554. Not anybody, either corporators or otherwise?—I think not.

555. Who are the gentlemen appointed by the Board of Trade?—Captain Sulivan has been a member appointed by the Board of Trade.

556. What is he a captain in?—In the Royal Navy.

557. Who else is there?—He is the only person appointed by the Board of Trade.

558. Who are the gentlemen appointed by the Admiralty?—Admiral Stopford and Commodore Sir Frederick Nicolson.

559. I suppose they do not come near you very often, do they?—Yes, they do, very regularly.

560. What other members of the Board are there?—The other two members are the Deputy Master of the Trinity House, and Captain Owen, both sailors.

561. Both naval men?—No, neither of them; they are officers who have commanded ships in the mercantile marine.

562. Have they been on the Board from the commencement?—Yes. The deputy master of the Trinity House is *ex officio* a member; Captain Pigott was a member from the Trinity House before Captain Owen took his place; that has been the only change.

563. You have been asked about the removal of piers; are you aware that the late Lord Mayor erected a pier?—Yes.

564. That was near Greenwich, was it not?—Nearly opposite Greenwich.

565. Previously to that, had there been rates enjoyed by the watermen; had they erected a pier?—No, not that I am aware of.

566. A ferry, was it?—There was a ferry, called Potter's Ferry, and that question has been a subject of litigation for a great many years.

567. *Chairman.*] Is that a Sunday ferry?—No, I believe not.

568. Mr. *Locke.*] Was it on the part of the ferrymen of Potter's Ferry that an objection was made to the pier that was erected by the late Lord Mayor?—I cannot remember any objection.

569. Do you remember his being indicted?—Yes.

570. And being found guilty?—No, not that I am aware of. I must be excused from knowing anything of the sort; I never heard of such a thing. I can tell the Committee the particulars of the grant that was made to Mr. Alderman Cubitt.

571. After these proceedings in the Queen's Bench, was a grant made to Mr. Alderman Cubitt?—Yes.

572. By the Thames Conservancy?—Yes.

573. Of precisely the same pier?—I do not know.

574. Was the pier which the Thames Conservators sanctioned to Alderman Cubitt, and which was the subject of the indictment, removed?—No, it never was removed.

575. Therefore it was the same pier?—The same pier; but I may say that it never came to the Conservancy Board in that light at all; I never heard until this moment that the late Lord Mayor was indicted, and that it was found a nuisance.

576. You were not in the Conservancy Board then?—No.

577. Then your mind is a sheet of blank paper with regard to what occurred previously?—Yes, with reference to that subject.

578. *Chairman.*] I understood you to say that you had been Secretary ever since the appointment of the Conservancy Board in 1857?—Yes.

579. Mr. *Locke.*] Very well; then the trial I speak of took place in 1858?—Did it? what since the grant was given?

580. Previously to the grant being given?—I do not know anything about it.

581. The trial took place on the 2d of February 1858, before Lord Campbell and a special jury; when did you make your grant?—I have not got the particulars of that.

582. It is since you have been at the Board, is it not?—Yes.

583. In fact you have been at the Board from the very beginning?—Yes.

584. What was the date of your first going into the Board?—November 1857.

585. The trial took place in February 1858. Now I ask you when it was that the grant was made?—

made?—I have not got the particulars of that with me.

586. How long after was it?—I think it was about a year after, as near as I can remember.

587. And the pier remained there all that time?—Yes.

588. And the conservators did not take any steps to remove it?—Certainly not; they did not think it was any obstruction. They thought it was a thing which, supposing it had been applied for *de novo*, they would certainly have granted it; the steps they took with relation to that application were these; they had a committee to go down and view the pier. Commodore Shepherd was then at Woolwich Dockyard, and he came up to meet the Committee and examine it. I know there was a special report made, because we thought, at least I thought, as far as I could carry my memory back, that the thing was settled. I have no recollection of Alderman Cubitt being indicted, not the least; I thought that Alderman Cubitt had a license from the Navigation Committee for that pier.

589. Had he built the pier?—Yes.

590. At his own expense?—I think he had built it with the permission of the Corporation of London. I am under that impression, but I do not know anything about it; all I know is that application was made for the pier to remain. It was examined, and the conservators came to the decision that it was useful to the public.

591. They sanctioned it when it was made?—Yes.

592. At the time they gave that sanction to this pier of Mr. Alderman Cubitt's, which was then made, was he not chairman of the Board of Conservancy?—No, certainly not; Sir Robert Carden was chairman of the Board then.

593. Then, perhaps, you can fix the year?—You said it was 1858.

594. I ask you when your license was given?—I think you said just now it was in the year 1858.

595. I said that the trial in the Court of Queen's Bench was on the 2d of February 1858, and I ask you now when it was that the license was given to Mr. Alderman Cubitt?—Supposing it to have been the year afterwards, that would be the year 1859. I know it cannot be further back than that. Alderman Wire was then Lord Mayor. If it was the next year Mr. Alderman Carter was Lord Mayor; then came Mr. Alderman Cubitt in 1861, and I am quite sure it was not so recent as that.

596. Mr. Alderman *Salomons.*] Have you any report whatever of that in your proceedings?—Oh yes, with relation to the pier; I have not got it with me, it is in the Minutes.

597. Mr. *Locke.*] Had not inconveniences arisen to vessels navigating the river with reference to that pier?—No report has ever been made to the Conservancy Office of it, not by the harbour master, or any other person, certainly not.

598. Have you not reduced the length of that pier?—No.

599. Has not the length of that pier been reduced by 30 feet?—No, certainly not, by the use which is made of it at present by the Woolwich Steamboat Company, I think it is rather elongated by putting an additional dummy barge outside.

600. What became of the Ferrymen's Pier, they had a pier, had they not?—No, they had no pier that I am aware of.

601. Then of course it was not removed?—There was a dummy barge over on the Greenwich side, which the conservators caused to be removed.

602. Then I was wrong in calling it a pier, it was a dummy barge, which they used as a pier, was it?—Yes.

603. And that the conservators removed?—Yes, it was a very great obstruction.

604. And licensed the other pier of Mr. Alderman Cubitt's?—They were not near the same place, one was at Greenwich on the south side, that was the Watermen's Pier, and Mr. Alderman Cubitt's Pier was over on the Isle of Dogs; they were not contiguous to each other.

605. How was the Watermen's Pier used before Mr. Alderman Cubitt's Pier was put up?—It was a pier for the steam-boats to call at, but it was very inconvenient.

606. Then previous to Mr. Alderman Cubitt's Pier being put up, the Watermen's Pier was the one to which the steam-boats went?—They have no relation to each other at all.

607. Still, before Mr. Alderman Cubitt's Pier was put up, the Watermen's Pier was the one that was used?—No, they were on opposite sides of the river; they had nothing to do with each other.

608. Was there any pier on the other side at all?—No.

609. Did not the steam-boats go to the Watermen's Pier?—When they came to the south side they did; they went to the Greenwich Pier, which was built by Act of Parliament, and the tolls for which were levied by Act of Parliament; but the Commissioners saw that the dummy barge put there, was a sort of rival to this pier, that was built by Act of Parliament; they saw that it was utterly useless and an impediment, and they caused it to be removed; and the Corporation of London thought it necessary to remove it on two or three occasions some years before, if I am correctly informed.

610. Are you quite certain that there was no pier or dummy barge on the north side of the river there?—I am quite sure.

611. What compensation did the conservators give to the ferrymen for taking away their barge, or whatever you call it?—They took their barge and all their chains off them, and gave them the full price they asked for it; and they induced the Greenwich Pier Company to give them the half of their profits after paying 3 per cent. upon their capital, and that has been paid to the Greenwich watermen for three years; I think they get 80*l.* a-year.

612. £. 80 a year for the ferry, do you mean?—In lieu of the pier that was taken away, in lieu of the proceeds of their dummy barge.

613. What was given them in lieu of the ferry?—That I know nothing about, that I should have nothing to do with.

614. Upon what principle do the conservators fix their charges to parties who desire to carry out any work on the river?—The conservators have nothing whatever to do with that; the assessment is made by an independent assessor who is appointed by the conservators once a year, and approved by the first Commissioner of Woods and Forests; the conservators have no voice whatever in the amount to be assessed; they cannot find fault with it, they can neither increase or decrease it, the Act provides for that strictly.

615. Have the conservators any defined plan with

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with regard to the improvement of the navigation of the river?—Yes; there is a plan drawn in the office to which all embankments are allowed to come, and outside of which no embankments are allowed. I may probably be permitted to say that these are questions more for the engineer than the secretary, although of course I know something about it.

616. You are aware of Walker's line, are you not?—Yes.

617. Have any structures been allowed to be placed beyond that line by the conservators?—Do you mean permanent structures in the shape of embankments or jetties?

618. First, as to embankments?—No, none; and generally they confine themselves within that line, because it is found by experience that a little bay, as a recess for barges and other small river-craft, is very desirable; and the conservators therefore do not, generally speaking, deem it expedient to go out so far as Walker's Line, more particularly below London Bridge; but above London Bridge, the line is respected very much, as coming from an eminent engineer; but there are circumstances which make it desirable that that line should not be strictly adhered to.

619. *Chairman.*] Will you just state, for the information of the Committee, what you mean by Walker's Line?—Walker's line is a Line drawn by the late Mr. James Walker, the engineer. In 1841, I think, he made a survey of the River Thames with Captain Bullock; and he drew a line, to which he considered, as an engineer, it would be desirable the river should be trained, and beyond which no solid embankments or jetties should be encouraged. That line, drawn on a very large scale, is deposited in our office, and it is also printed in a Report Book made by Mr. Walker. There are some parts of the river where it would be perfectly out of the question to carry it out: it would be cutting off many acres of a point, and filling up a bay, and so on; but between Greenwich and London the line is very much respected. The conservators, however, use their own judgment in allowing embankments to go either to that line or to whatever distance short of that line may be necessary; but I never knew an instance of any embankment being constructed riverwards of Walker's Line.

620. Mr. *Locke.*] Walker's Line extends from Yantlet Creek to Staines, does it not?—No; I I do not think it goes below Gravesend or above Fulham.

621. Sir *John Hanmer.*] Is that a high or low water line?—It is a line to which Mr. Walker recommended that, if any embankment or filling up of the river was ultimately made, it should be made to that for the better training of the stream.

622. Mr. *Locke.*] In fact, it is a line up to which the shore or bed of the river might be embanked?—Just so.

623. You say you have made no embankment beyond it?—No, in no instance whatever.

624. But you have carried piers beyond it?—There have been jetties, but very few of them.

625. They extend a considerable distance beyond that line, do they not?—No, very little indeed; you are probably referring to jetties.

626. Take Allhallows Pier, for instance?—That is a landing pier.

627. That extends far beyond it, does it not?—Certainly.

628. How far beyond it is that?—I do not know the exact distance; I should say about 90 or 100 feet.

629. Beyond Walker's Line?—Yes.

630. How far is Swan Pier beyond it?—That is about the same thing. I knew Mr. Walker, and I was frequently with him when he drew that line; and I am quite sure it was never his intention that it should refer to anything but a solid river embankment, for the purpose of training the banks: he never meant that a jetty or open place, for the construction of temporary or useful works, should not be made there, that I am aware of.

631. The conservators, then, have no idea of deepening the river within Walker's Line?—No; I never heard of dredging being done in such a position as that; it would be out of the question.

632. Why?—Because it is so close to the high-water mark, you could never put a dredger there.

633. Would it not be a convenience to barges to lie there, instead of further out?—No, it would all cut up; it would be a thing that could be never entertained.

634. It never has been entertained?—No.

635. Mr. Alderman *Salomons.*] In Walker's Line would there be always water?—No, not at all; in very many instances, Walker's Line is the red-ink line drawn by Mr. Walker on the foreshore of the river.

636. Mr. *Locke.*] Have the conservators demanded rent for ancient projections from the bank of the river, overhanging the river a few feet?—The only persons of whom the conservators have demanded rent, have been those who have got accommodations off their premises that are not a part or parcel of the building, and whose names have been on the rental list supplied by the Corporation of London. I am not aware of anybody else.

637. I mean persons who have got these piles and jetties at a considerable height above high water-line?—If a person has, we will say, a jetty or row of piles on the foreshore of the river outside their wharf, and it was discovered that those persons had driven those piles without any sanction or authority, the conservators have required that they should pay a rent for those piles in the same manner as those who apply and get leave for it.

638. Supposing it is a projection—a house, for instance, with a window projecting over one that has done so for a length of time, and no charge has ever been made for it before: have not the Conservators, since the new Board has been established, made charges for those projections?—I do not know; I have never heard of such a thing; if you ask the engineer, he may be able to tell you.

639. I believe the Conservators claim the right of placing any jetty they choose in front of anybody's wharf?—I am quite sure the Conservators would never exercise such a right if they had it, but I do not believe they have a right to put a jetty in a place that would destroy the access, and injure persons.

640. I am asking what they claim?—I have never heard they claimed such a right.

641. What right did they claim when they put up Allhallows Jetty and the Swan Pier?—In putting up those jetties, the subject was very fully considered; and the Conservators certainly were of opinion that the access to those wharves would not be impeded, but that the wharves would be really improved. As wharves, there is no access

access destroyed, and no right of approach interfered with.

642. What is the length of your Allhallows jetty?—About 300 feet altogether.

643. Do you consider that it is no impediment that a person should have to go round a distance of 150 feet, instead of going straight up to his wharf?—I think if I, as a sailor, had to take billyboys to the wharf above Old Swan pier (and I will not only state my own opinion, only, but the opinion that was given to me by the master of a billyboy), I could come to and go from the wharf a very great deal better now than I could before.

644. Better than coming right in front?—Yes; for all those obstacles in the shape of piles and chains, and dummy barges, had been removed.

645. Then he had a difficulty in getting there when he had nothing to impede him, had he?—No; that is a mistake, there was something to impede him—the row of dummy barges, some of which had to be removed.

646. That was another nuisance then?—It was a nuisance.

647. You consider that what you put up is not so great a nuisance as the one that was there before?—Certainly not.

648. And therefore there is no impediment to the person who has this thing in front of him?—That is my opinion, and it is borne out by a circumstance which has come to my knowledge; that persons who lighter to these premises in that immediate locality have to pay about a guinea a week less for lighterage than they did before that pier was put up.

649. That is no answer to the question I am asking you: I ask whether or not this structure being placed in front of the wharf is not an impediment, and whether or not the conservators do not claim the right of placing such a structure as that in any part of the river, in front of anybody's wharf?—I believe the Conservancy Act gives the conservators power to erect piers at such places as they think best for the convenience of the public, and causing the least obstruction to the navigation of the river; if they destroyed the access to a person's wharf, and a man could not get his barges up to his wharf at all, no doubt that would ruin his wharf.

650. If he could not get there at all, you would think that an impediment, but if you impose a difficulty, and he does manage to get there somehow, you don't think that is an injury?—What I contend is, that the mode of access to that wharf is better now than it was before.

651. They cannot go through, the barges have to go round, have they not?—The whole shore was studded with piles and mooring-chains, which were direct impediments to the access to all those wharves, and most of which are now removed.

652. Has not a barge been sunk in consequence of this Allhallows pier, as it is called?—I have not heard of it.

653. Then they do not always bring you an account of everything that takes place?—I think if a barge had been sunk there, our pier master, or the engineer, or the harbour master, would have been sure to have known it, and I have never heard of it; the engineer may probably be able to inform you, but I certainly have not heard of it.

654. What are your powers of compensation under this Act for any injury you may do to persons; I suppose you have never put that in force?—I am not aware that any injury has been done to anybody.

655. Then you have never compensated anybody?—I am not aware that we have ever injured anybody. The persons who held those dummies there, held them, I believe, as far as I am acquainted, without any grant at all from the Corporation, and they had notice to remove them; therefore, under those circumstances, I should apprehend there would be no case for compensation.

656. Have you removed any private mooring-rings?—We have never removed any private mooring-rings without paying the persons for them.

657. But you have removed them?—Yes; I think in about three or four instances only.

658. Where has that been?—There was one at Chelsea, one at Hungerford, and I think one at Greenwich; that is all that I can remember.

659. Have you always compensated the parties?—I think so.

660. Have you not sometimes removed them without even asking to whom they belonged?—No, not that I am aware of; but that is an affair that does not come immediately under my supervision; I have not heard of such a thing at any rate.

661. What public stairs do you shut up?—I am not aware that we have ever shut up one.

662. I mean stairs that were worked by the Watermen's Company, that you have removed or taken away?—Probably you are referring to some stairs at Allhallows-lane; it was necessary to make an alteration in those stairs for the purpose of making the approach to the pier better than it would have been with the stairs; the stairs projected 30 or 40 feet into the river, and they formed a very great obstruction to the river, as the stairs and steps at Old Swan-lane are at present; the conservators put a flight of steps down there, which are really more convenient for the purpose of carrying up anything; there has never been any complaint made of it.

663. At Allhallows you say it is more convenient; is it not very difficult for a stout man to get up in the space you have left there?—Well, I am pretty stout myself, and I could get up; there is plenty of room.

664. Could you carry a sack upon your back?—Yes; a man could carry a sack of flour up those stairs, certainly.

665. But two men could not do so, could they?—No.

666. They were very wide stairs, were they not?—They were.

667. And devoted to the public?—Yes.

668. You have crowded them now so much that you say only one man with anything on his back can go up at one time?—In practice the stairs had never been used for the last 20 years; they were useless.

669. Therefore, you took them away, and considered they never would be used again?—Only within the last day or two we have had persons from Old Swan stairs coming to our office to get them removed.

670. What persons?—The wharfingers; it gives a great deal more room for waterside craft, and, what is more, the persons who come to these stairs now can land at the pier, and walk up with clean dry shoes without getting wet, and in-

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finitely more conveniently than they could formerly.

671. Mr. Alderman *Salomons.*] Would a person be able to land there free?—Yes.

672. Without any payment?—Yes; there never has been any charge made at any of the conservators' piers for landing or embarking from boats.

673. But would he be able to land goods. Is there any charge for landing goods?—There have never been any goods landed there.

674. But suppose goods were landed there?—Then I should imagine not, because they would have access to the pier. Supposing it was low water, under former circumstances it would have been quite impossible to get up those stairs, what with a high camp shed, such as seven feet high, and the mud as well.

675. Those are free stairs for goods and persons belonging to the steamers, you say; could other persons land goods in the same way?—Precisely; there is no difficulty.

676. Without any charge?—Without any charge whatever; if they wanted to go to those stairs for the purpose of going to the lane, they could land their goods at those stairs without any charge whatever.

677. You do not know of any case of that sort having occurred, do you?—I never heard of it.

678. Mr. *Locke.*] You said something about the Temple pier; what was that?—The secretary of the Temple pier called on me, and made great complaint as to the conduct of the persons managing that pier.

679. When was that?—On 25th March this year.

680. *Chairman.*] Who does the Temple pier belong to?—It belongs to about five or six individuals, two widows, and three or four watermen, I believe.

681. Mr. *Locke.*] It is a very good pier, is it not?—No, indeed, it is not.

682. What is the matter with it?—In the first place, the piles were so badly driven in, that they were only about three feet in the ground. They went to Mr. Leach, our engineer, who gave his advice on the subject, and they had to go to considerable expense in re-driving those piles.

683. But they have re-driven them, have they not?—Yes, they did, at a great expense.

684. Is that no improvement to the river?—It is an improvement over the old barges.

685. *Chairman.*] Did the parties complain to you?—Yes, of the conduct of the men on the river, of the manner in which they attended to the steamers.

686. Mr. *Locke.*] Was that all?—Yes.

687. You said that there was some mutinous conduct, I understood?—That was the conduct of the men on the pier.

688. Was that with a view to get the Thames conservators to interfere?—Yes.

689. By abolishing the pier, and taking it themselves, I suppose?—No, I believe, not at all; the men at the pier gave me a letter that was written on 16th September 1861, by Mr. Giddings, of the Woolwich Steam-packet Company, in which he said, "I have just had a report from the captain of the 'Dryad,' stating that, in his passage down from Hungerford this day, when he arrived at the Temple pier, there were about 14 persons to embark, and, upon his requesting the man employed on the barge to place a brow to the boat, his reply was, "It is broken." The master, however, states, that he saw two other stages available. I therefore feel it my duty to inform you that, if this conduct be repeated, I shall be under the necessity of reporting the same to the Board of Conservancy."

690. What is a brow?—What they call a hand stage.

691. Do you think those things are a great advantage?—You cannot get on board without something, sometimes.

692. Do you think that they are any advantage when a boat is brought close up on a level with the pier?—Yes, in some instances, they are not very desirable, but the level of the steamer is not always the level of the pier, and that has to be provided for; other complaints have been made; there was another complaint of Mr. Giddings in July 1861.

693. Who is Mr. Giddings?—He is secretary to one of the Woolwich Steam-packet companies.

694. Mr. *Western Wood.*] I want to get this point of the bonds a little clearer; will you tell the Committee distinctly, whether your Board repudiate these bonds, or whether they admit their legal liability?—I have never heard any question about it at all; there has been no such questions put before the Board of Conservators, and therefore I cannot give you any answer to that question.

695. In taking over the assets from the Corporation, there was 82,000 *l.*, that I presume was the accumulation of receipts and the security of the bond-holders?—It is important to bear this in mind that that 82,810 *l.* that was saved by the Corporation of London, was saved from the tonnage dues which are the dues below London Bridge, paid by the shipping interests, and I rather think the idea was that that 82,000 *l.* was to be set aside for the purpose of paying off those bonds: it would be just a question whether persons interested in shipping would like to see the money that was saved from the shipping tonnage dues used for such a purpose.

696. You, as the secretary, received it for the bond-holders; it was handed over to you as the accumulation, was it not?—True, it was so; but you must recollect that it had formed a part of the Conservancy Fund, and the Act does not state that that accumulation of 82,000 *l.* saved by the Corporation of London from the tonnage dues shall go to the payment of these bonds.

697. Then you do not conceive that it is any part of the security for the bond-holders?—We have had legal opinions about that.

698. You have spent 15,000 *l.* of it?—That is part of the capital account, without which the Conservators could not have executed their work; their annual income would not be equal to the necessary expenditure.

699. I understood you rather to impute to the Fishmongers' Company a very unnecessary delay in making up their minds as to the construction of that pier; is that so?—I think there was a lapse of more than a year.

700. Did not the Fishmongers' Company inform you of a difficulty which there was in their way, with respect to their tenant who held the lease of the existing wharf, which lease had not expired?—They said that their tenant's lease expired at Christmas next, but that did not appear any reason why necessary work should not be executed.

701. Who was that tenant?—Mr. Jones.

702. Was it not also conveyed to the Conservancy

vancy Board, that the only strong reason of the Fishmongers' Company for declining to make the pier, was the power which was reserved to the Board of Conservancy by the Act of 1857, to come in at any moment and desire the Company, who had spent 3,000 *l.* upon it, to sweep it entirely away?—I have never seen such a letter, and I have never heard such a thing before.

703. I think you mentioned, in the course of your evidence, that you had only had one application from anybody to erect a pier; is it or not your opinion that that reserved power on the part of the Conservancy Board must necessarily militate against any such applications being made to them?—The only application made to us to erect a pier, was by a steam-packet company, who wanted it for their own use.

704. Will you just answer my question; do you or not think that the power reserved to the Conservancy Board would prevent any individual being, I was going to say such a fool as to expend a large sum of money on a work which the Board might at any moment come and desire them to take away?—It is just a question whether it is desirable to give persons such a footing on a public highway, that they could never be removed again. I do not think the Fishmongers' Company could have had any idea that that power would be exercised capriciously at any moment, if they had any reason to think so from precedent or anything that had happened on the banks of the river, there would have been something in it, but I have never heard of anything of the sort.

705. Then if I was to tell you, that that was a strong motive on the part of the Fishmongers' Company, you would think that it was a foolish idea on their part?—I should not presume to attribute any such motive; but if I had been in the position of the Fishmongers' Company, and had been told that by a payment of 25 *l.* a year during pleasure I could have this pier, I think I should certainly have considered that the Conservancy Board would act with judgment, and that they would never think of displacing the pier at their caprice.

706. I do not know whether you recollect that the amount of the estimate for the pier, approved of by the Conservancy Board and the Admiralty, was about 3,000 *l.*?—Yes, it was very small, I know. I know that the Surveyor of the Company was in constant attendance at our office, and that he was afraid of encroaching in the least to the westward for fear of overlapping his neighbour, who had threatened proceedings.

707. I believe that at a subsequent period the Fishmongers' Company informed the Board that they were prepared to make the pier, and that they were then informed that it was too late, was not that the case?—I believe it was. I believe the Conservators had made up their minds to erect the pier; they considered that the pier, as designed by them, would be far better for the convenience of the public than the structure which the Fishmongers' Company would have put up.

708. Have you any recollection how long you had been at work in preparing those pontoons, as I believe you call them, previous to that last intimation that you gave to the Fishmongers' Company?—No, I do not know at all.

709. At all events, was it in a forward state?—I was not in town at the time that communication was made; I heard of it, and I saw it upon the minutes, but I do not recollect any of the particulars.

710. I understood you to say, just now, that the access, I do not know whether you meant specially to the premises of the Fishmongers' Company, but at all events to the railroad, is rather improved than otherwise by the piers?—I think that the access to all those premises along there is really better than it was before. Captain *E. Burstal*, R.N. 1 May 1863.

711. Do you think so with regard to the Fishmongers' property?—I do not know whether it affects Fishmongers' Hall; vessels always come, or nine out of ten of them, under the first arch of the bridge there; the pier does not interfere with them in the least. I have seen vessels come round the first arch of London Bridge and go between that and the pier.

712. Do you mean the first pier?—The first pier in the river.

713. You think it is very easy now for any traffic to get in with a flood tide between your pier and London Bridge, do you?—Considering the way in which they got in before, I think that it is just as easy now as it was then; I have heard of no complaint.

714. You would probably be astonished then to hear that we have every expectation of losing all rental from our wharf?—I have not heard it.

715. Should you be surprised to hear it?—I should be very much surprised, and it is quite contrary to the opinion given by a very experienced wharfinger who came to my office, and in the presence of two or three gentlemen, said in looking at the model of these piers, that these piers being put up there and clearing away all the rubbish and piles that were there, would considerably increase the value of wharf property in that locality.

716. Mr. Alderman *Salomons.*] Did not the making of that pier at the Fishmongers' Hall entirely destroy the previous property as a steamboat pier?—Of course it would, as a steam-boat pier, but then they were there without any sanction or authority, as far as I understand, but I believe that case has been before a court of law.

717. As to the waterway between your pier and the shore, I think it was not your original plan to make a swing bridge there, and drive piles between your pier and the shore?—I think it was.

718. Was it so originally?—I think so; I am quite sure there was no alteration there.

719. Have you still 60 feet clear way there?—I think so, but I would ask to be excused from answering these questions of detail.

720. I think I understood you to say that the only two complaints you had heard of were from the wharfingers on the north and south sides of the river?—Yes.

721. Has there been no complaint at all, or any dispute with some parties at Millwall?—No; not that I know of at all.

722. Mr. *Hodgson.*] With reference to the balance-sheet ending the 29th of September 1862, I observed on the expenditure side that the whole amount is 57,081 *l.* 12 *s.* 5 *d.*?—Yes.

723. In that account there is a capital expenditure for the erection and repairing of steamboat piers, of 12,980 *l.* 10 *s.* 11 *d.*; is that so?—Yes.

724. There is one account of a new dredger, 4,097 *l.* 1 *s.* 6 *d.*?—Yes.

725. There is likewise a capital expenditure for the redemption of the land tax on the office in Trinity-square, of 224 *l.* 3 *s.* 1 *d.*?—Yes.

726. All this is capital expenditure, is it not?—Yes;

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—Yes; it has been taken from the capital account.

727. It is in the nature of capital expenditure, that is what I mean?—Yes, it would be so.

728. Here is one item that I want some explanation about, for chains and moorings, and repairs, amounting to 6,480 *l.* 18 *s.* Do you consider that amount is in the nature of ordinary expenditure out of the revenue, or is a part or the whole of that expenditure chargeable to capital account?—I think it might be fairly considered a part of it, at all events, as coming out of the ordinary receipts for the year, and a part of it as coming out of the capital.

729. Can you assign a proportion?—No; I have never thought of that; that was the reason I had for not including in this account the large amount for piers, and that the money was taken from the capital account for the purchase of those piers, and for the purchase of chains and other things, but which when once done do not require to be replaced.

730. You cannot assign a proportion of that which you think applicable to revenue?—A small proportion of it would be applied to revenue.

731. How much; less than one half?—Yes, less than half; I should think a quarter, perhaps.

732. The rest, the balance, is in the nature of a capital expenditure, is it?—I should say so.

733. It is not one that is to occur from year to year?—No; and when these works are once executed of course there will not be any necessity for that expenditure, and therefore the receipts will be above the expenditure.

734. We have got these three sums, which in the whole amount to 17,201 *l.*, that may be chargeable to capital; do you think I may take out from that sum of 6,486 *l.*, 5,000 *l.* or 4,000 *l.*, as in the nature of capital expenditure?—I do not think that in the general working of the Board, 5,000 *l.* would have been expended from the revenue account.

735. I want to know how much of that 6,000 *l.* you consider has been expended as capital?—When our current account has not been equal to the payments, we have drawn from the capital account; therefore it would be very difficult for me to tell you exactly, I think, all the charges for the piers.

736. I am not speaking of the piers, but of chains, moorings, and buoys?—Nearly the whole of that is exceptional expenditure which, when once done, would not be required again for a good many years, and I should think a very large proportion ought to be considered as capital.

737. Two-thirds would you say?—Yes.

738. Now we will go to the other side of the account of the river for one moment. I see there, that you have realised by the sale of 15,000 *l.* New 3 per Cents., 13,837 *l.* 7 *s.* 6 *d.*; is that so?—It must be so; the account is quite correct.

739. You likewise had a balance on the last year, of 2,390 *l.* 16 *s.* 4 *d.*?—Yes; you will find that in the return to Parliament.

740. That, likewise, is not revenue earned in the present year?—No.

741. The result of that is, that you have a considerable sum, about 1,500 *l.* surplus revenue, if you take the two sides of the balance sheet?—Yes; I think that when all the works are done, we shall have a surplus.

742. Upon the whole, therefore, taking the balance of ordinary expenditure and revenue, you have between 1,500 *l.* and 2,000 *l.* of surplus?—Yes, I think it will be more than that.

743. Will that surplus be applicable to paying off the bonds of which we have been speaking?—According to the Act, I think it would.

744. *Chairman.*] Are you conversant with the period when the expenditure of the Conservancy Board will be less than the receipts?—Quite so.

745. The principal source of income of the Conservancy Board is derivable from the dues on shipping; is it not?—Yes, from tonnage dues.

746. Supposing you are in the possession of a surplus; to what purpose would that surplus be applied?—As the Act directs, to the payment of the bonds; the payment of all monies borrowed.

747. Then it would not be applied towards diminishing the dues on shipping?—The Act points out that after the debts are paid, then the tonnage dues are to be reduced.

748. But the bonds are to be paid off first?—Yes.

749. Mr. *Longfield.*] I think there is some confusion about the bonds; the bonds to which the Chairman alludes is 130,900 *l.*?—Yes.

750. There is not a word about those in the Act; then the surplus is not to be applied to those bonds, but to other bonds?—Quite so; but that is a legal matter, and I am not in a position to say.

751. Those bonds are not mentioned at all specifically in this Act, are they?—No, they are not named.

752. The surplus to be applied is to be applied to bonds upon which you have been entitled to borrow 100,000 *l.*; is that so?—Yes.

753. Section 138, you say, transfers to you these tonnage dues?—Yes.

754. But it does not say anything of transferring them subject to that liability?—No, it does not say that.

755. Can you get the Committee a copy of any of these bonds?—I have got the numbers of them.

756. Have you not copies of them registered?—I have the numbers of them all.

757. Have you a form of them?—Yes.

758. Can you, on the next day of our meeting, lay one of those forms before the Committee?—I will make a note of that.

759. Sir *John Hanmer.*] You said that you had reason to complain that gas companies had surreptitiously inserted gas refuse into the river?—Yes.

760. Do you mean that they ought not to do that at all, or only under the control of the conservators?—Certainly not; I think they ought not to put it into the river at all, because there is a process by which it can be evaporated. Of course if it was a thing that could not be done without, we must put up with it; but I understand there is a dry process.

761. When do you expect that the Report called for by Parliament from the Conservancy Board will be presented?—There is no reason why it should not be ready at a fortnight's time. I can mention the subject to their Board at the next meeting.

762. Do you know why the delay in furnishing this Report has occurred this year which has not occurred in preceding years?—No, not at all. I am not aware of any particular delay, I think it is

is generally presented about May; I do not know why it should not be presented at once.

763. Mr. *Hodgson.*] It is made up to the 29th of September in each year, is it not?—Yes.

764. Would there be any difficulty in presenting it at the meeting of Parliament in February?—None at all; I do not see why that should not be done.

765. Are you aware that some returns have been ordered to be made by the Conservancy Board?—Yes, they are all ready except the return of the legal proceedings, and we are waiting for our solicitors to present that.

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766. Mr. Alderman *Salomons.*] The return I moved for about a month ago with regard to the numbers of piers that have been suppressed I should have thought it might have been ready at once?—I believe that it is quite ready.

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767. Can you put it on the table on Monday?—Yes.

Mr. Stephen William Leach, called in; and Examined.

768. *Chairman.*] You are, I believe, Engineer to the Board of Conservancy of the River Thames?—Yes, I am.

Mr. *S. W. Leach.*

769. Did you hold any appointments under the Corporation of London, at the time they were the conservators of the river?—Yes; I held a similar appointment, and had done so for about 15 years.

770. In what state, with regard to the duties of your department, did the City hand over the conservatorship to the present Board?—The Corporation of London had recently made some important improvements in the river, more particularly below London Bridge; it had adapted the river to that change in the size of vessels which occurred about that time; previously, a large portion of the trade that was accommodated in that part of the river had been carried on by small coasting vessels. That mode of trade was altered, and large screw steamers were substituted. The corporation had to a great extent adapted the river to those screw steamers, so that they were able to lie at their moorings afloat. Of course, they had to deepen the river very considerably, in order to accommodate them. The Corporation were unable to dredge shoals in the river; they were advised that their funds were not applicable to that; they could only improve moorings.

771. Can you furnish the Committee with any plans, showing the shoals in the river, and the piers the conservators have erected?—Yes, we have plans showing all those works. I have not them with me.

772. Will you state what works the present Conservancy Board have erected in the river since they came into office?—The most important work the conservators have carried on has been dredging. They have dredged the river with two objects; one has been to carry on the improvement of the depth for ships at moorings, which the Corporation had commenced; and the other, a very important one indeed, the removal of shoals, so as to improve the general navigation of the river.

773. Is this the dredging below London Bridge?—Yes.

774. As to the first object, with a view to improving the navigable channel, will you state what has been done?—The nearest to London Bridge has been the removal of Limehouse shoal, which has been mentioned several times before Committees of this House as being a very great obstruction indeed. It was composed of a very hard material, and the Trinity lighters and dredgers had not been able to make any impression on it at all. The conservators have entirely removed that shoal.

775. Whereabouts was it at Limehouse?—Just at the bend of the river, opposite Cuckold's Point.

776. Nearly opposite Deptford?—A little higher up than Deptford. The upper part of it consisted of conglomerate gravel, which is as hard as any rock. At Limehouse Reach, there was a shoal reaching entirely from end to end, and not above eight or nine feet of water through it. The conservators have done a great deal to that, and they contemplate doing a great deal more. At East Greenwich, there was a spit which ran out a considerable distance into the river, and was very inconvenient to the navigation. It was composed principally of quicksand; that has been reduced a great deal by the conservators. The next is Blackwall Reach; there were a number of small shoals there, of exceedingly hard material, which were very inconvenient to the shipping, and, in fact, damaged it very much, for we found, in dredging on this conglomerated gravel, that there were sheets of copper which had been scraped off the bottoms of ships; we met with a considerable quantity of it quite crumpled up.

777. Sir *John Hanmer.*] You get through sand quite easily, do you not?—Not quicksand; that is exceedingly hard. Off Bow Creek there were several shoals situated, of a similar character. Off Charlton there was a shoal which projected a long way into the navigation; the conservators have reduced that a great deal. Ham Shelf was one of the most notorious impediments in the navigation, with only about five or six feet of water over it. The conservators have made a channel of about 200 feet wide, and have got about 14 feet of water in it. Those are the principal shoals which the conservators have removed.

778. Mr. Alderman *Salomons.*] When you say 14 feet, do you mean at low water?—Yes.

779. *Chairman.*] Have you, in the course of this dredging, met with many engineering difficulties?—Those I have described, which have arisen from the excessively hard nature of the ground.

780. And from no other cause?—The conservators have had a very great deal of difficulty in getting rid of that material which they have raised; it was of a refuse character; if it had been good for gravel, the Trinity House would have taken it, but they have had difficulty in getting rid of it upon any terms, and they have generally had to pay heavily for its removal.

781. How have they disposed of that portion which is unsuited for ballastage?—They have had to pay lightermen to take it away from the dredger, and they have also had to pay to have it unloaded on the banks of the river.

782. Is it used for purposes of embankment, then?—Generally it is.

783. Are there any other shoals in the river which it is very desirable to remove?—Yes; there are several yet, and some large shoals; the one at Limehouse Reach, for example, and there are

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are more improvements to be made at Ham Shelf. There is a large shoal at Margaret Ness, a little below Woolwich Arsenal, to which a great deal might be done, and we have just began to dredge one off Dagenham Breach, in the middle of the river, some distance lower down.

784. Of what materials are these shoals composed?—They are all refuse material on the top, and such as the Trinity House cannot use for the purpose of ballasting ships.

785. Have the conservators carried on any dredging operations above bridge?—To a slight extent they have. The Corporation of London delivered over to the conservators the lock at Teddington, which was then in an unfinished state; the conservators finished it, but they found it was inaccessible, on account of about a mile of shoal water below it. They have dredged through the whole of that; it was a very expensive work; they dredged off the Brentford Docks to give access to them. At Chelsea they have dredged, to improve the depth of water for steamboats, and off Millbank, immediately above the Houses of Parliament; they have dredged a spit, which ran out into the river, and which tended to cause the accumulation of mud in front of this House.

786. Is the dredging above the bridges under the same regulations as the dredging below?—No, quite different.

787. Will you state in what that difference consists?—Below bridge the dredging is pretty much in the hands of the Trinity House. The supply of gravel is entirely in their hands: above bridge it is quite different. The conservators there grant licenses to persons who have boats or dredging machines fitted for the purpose; and for those licenses a sum of money is paid. They are then permitted to take up sand or gravel from the bed of the river at certain points that are marked out for them.

788. Then is the material which is obtained by dredging above bridge suitable for purposes of building?—Yes, it is quite suitable for that; but the Trinity House Act does not allow such dredging to be done below London Bridge.

789. Do not you, as conservators, supply that material to ships, as it is so well adapted for the purpose?—No.

790. Why not?—The conservators are precluded from doing so by the Act of Parliament relating to the Trinity House.

791. The Trinity House has the monopoly of the ballastage, has it?—Yes.

792. And although you have good ballastage at hand, which you are forced to obtain from the bed of the river, you cannot dispose of it?—Not to ships.

793. What do you do with it?—During the last two years (I do not think it has gone back further than that) the conservators have occasionally supplied the Trinity House with it; that is to say, they have delivered it into the lighters belonging to the Trinity House, but not from above bridge; that is when they have happened, which has been very rarely, to procure any suitable for the purpose when they have been working on the shoals below bridge, and the Trinity House have had a demand for it; it has been delivered to the Trinity House lighters, and the Trinity House have paid 2½*d.* a ton for it.

794. As to the material that is dredged above bridge, how is that disposed of?—That is entirely taken for building purposes.

795. For concrete?—Yes.

796. Is that readily disposed of by the conservators?—The conservators do not procure that, they give licenses to private persons to get it.

797. Mr. *Locke.*] They are dredging at Kingston, are they not?—They give licenses at Kingston, and all the way up, as far as Staines.

798. *Chairman.*] Then the conservators do not interfere directly with the dredging of the river above London Bridge?—No, they do not; they are empowered to do so, and in the event of a very inconvenient shoal being in existence I imagine they would proceed to remove it.

799. Mr. Alderman *Salomons.*] Is not the material that is dredged below London Bridge fitted for the foundations of houses as well as that which is obtained above bridge?—I think that kind of material is getting very much exhausted; they have now to go down nearly as far as Erith before they can get any.

800. *Chairman.*] I see an item in the receipts of the Board of Conservancy: "Cash received for ballast licenses, 716 *l.*"; is that money received from the licenses you are referring to above bridge?—Yes, it is.

801. Did these distinctions which you refer to, in the dredging above and below London Bridge, exist previous to the passing of the Act of 1857?—Yes, they did.

802. What were the circumstances which rendered it desirable to make those regulations?—Under the Corporation of London these licenses were given by the Lord Mayor; they were given without any consideration at all. A person had only to go and take up a license, and he could do so; and as they were so easily obtained they were not very much valued. A great number of persons obtained those licenses, and used them in a very improper manner. They would take gravel from under the banks, and close to buildings. When the Conservancy Act was passed that matter came under the consideration of the conservators, and it appeared to them that if a sum was charged upon these licenses it would keep the persons who held them under control, and it has done so in a very satisfactory way.

803. Do you consider that the result of that change has been highly beneficial?—I do, very much so indeed.

804. Is there any considerable amount of dredging still required to be done in the channel of the river above London Bridge?—Yes, a great deal; a good deal will be provided for under the Thames Embankment Act, I believe.

805. Do you contemplate undertaking large operations then above bridges?—When the Thames Embankment is carried out, I imagine that a very considerable amount of dredging will be done above London Bridge.

806. That will be done directly by the Conservancy Board, will it?—Yes, it will.

807. What effect is that likely to have upon the bridges now in existence?—I do not think it would materlally interfere with the existing bridges.

808. Mr. *Locke.*] There is a large shoal near Westminster Bridge, is there not?—It is understood that the foundations of Westminster Bridge are quite deep enough to allow that shoal to be removed. The Corporation of London would have removed that shoal long ago, if it had not been for the state in which old Westminster Bridge was.

809. *Chairman.*] What steam-boat landings have

have been erected by order of the conservators, under your superintendence?—The one highest up the river is that nearly opposite the Houses of Parliament, at Lambeth; the next is at Paul's Wharf, a little below Blackfriars; then there are those two on the north side of London Bridge, and the one on the south side of London Bidge; one at Rotherhithe, one at the Thames Tunnel, and one at Millwall.

810. In all, how many is that?—Eight.

811. Was there anything objectionable in the nature of the constructions which existed before for the purposes of landing, which caused the conservators to undertake this new one?—Very much so, indeed; as to the one I mentioned first, at Lambeth, there was a complaint made, that it was actually unsafe for passengers, the accommodation was so exceedingly limited, that when a steam-boat came alongside, the chances were that some person would be thrown into the water by the shock; and at Paul's Wharf the pier was constructed of a number of barges, laid end to end, which entirely obstructed both the inshore passage, and the flow of the tide. The one on the Surrey side of London Bridge was objectionable, because it did not afford the accommodation that was required there. The one at the Tunnel was particularly inconvenient and dangerous. There was no way of passing it whatever, except by going out into the stream, and in the case of small boats, that was frequently dangerous.

812. Do you consider that all the landings that the Board of Conservancy have erected, are of superior construction, and placed under a superior system of management?—We have attempted to make them so, as much as possible.

813. Has the public benefited in any other way by these landing places, except in the two respects that you have mentioned?—Yes, very decidedly; before that, nearly all these piers were in the hands of private individuals; several of them were in the hands of steamboat companies themselves. Of course there could be no competition as long as that was the case, and I imagine that there being now the possibility of competition, the companies are induced to give all the accommodation they can to the public in order to prevent any fresh rivals starting.

814. Has the Conservancy Board done anything with respect to the public stairs and landing places in the river?—Yes.

815. Will you state what they have done?—The previous condition of these stairs and landing places was this, they were maintained by the watermen who plied at the stairs, and as their occupation was very much reduced, they had the smallest means possible of keeping them in a proper state. At the same time those stairs and landing places were open to the public; any one might go there, and it seemed rather a hard case that the watermen should have to keep them up. The conservators, in all cases which were brought under their notice, of the stairs and causeways being in a defective state, have repaired them.

816. Generally speaking, were they in a very bad condition?—Several were in a dangerous condition; there are about thirty-five of them, which the conservators have repaired.

817. Were those thirty-five all in the hands of the Watermen's Company?—No; they were all public landing places, but the steps and the causeways were kept in repair by the watermen themselves.

818. Not by the Watermen's Company?—No; by the watermen themselves.

819. Out of what funds were they kept in repair?—Just what they could collect amongst themselves.

820. Do you mean by voluntary subscription?—Yes, which was quite inadequate to keeping them in a proper state for the use of the public.

821. What has been the nature of the repairs which the Board of Conservancy have executed?—They have, in several cases, made substantial stone steps to them; in several cases they have made stone causeways, where previously there was a muddy or soft foreshore.

822. Besides those that you have named, are there any others on the river which have been erected by the Conservancy Board, under your superintendence?—The laying down of moorings comes within my department; that has been done to a very great extent, as the Committee have already heard. I do not know that I need describe them, as Captain Burstal has done so very fully. It has been a very large item with us and very great improvements have been made, both in the mode of laying them down, and in the number of them.

823. What is the number of them?—They are studded all about the river below bridge, almost as low as Gravesend, and also in that part of the river above London Bridge. The conservators have also carried out several other works since they have been in office.

824. What is the state of trade in the upper part of the river, of which we are speaking?—It has had to contend with the competition of railways, and it has been within my recollection reduced very much indeed; not only has the trade been reduced, but the rate of tolls has had to be reduced also to meet the altered state of things. As to one part of it particularly, that part which passes beyond the conservancy jurisdiction has now got to be exceedingly restricted. I believe it occurred from defective management on the part of those who had the control beyond the conservancy jurisdiction, and the effect has been to damage the trade of the river.

825. What has had the effect of damaging the trade?—The bad policy, at least so it is usually considered, that has been adopted by those who have the management of the river beyond the conservancy jurisdiction.

826. Will you describe what you mean by bad policy?—It was this: that looking upon the establishment of railways as a certainty, they thought they would enjoy what they had as long as they could, and they refused to reduce the tolls to meet the railway competition. The result has been to drive nearly all the trade away.

827. Then you do not consider that the diminution of the trade arises in any degree from the amount of toll?—Not at all, not as far as the conservators' jurisdiction is concerned; it has been well maintained in the conservators' jurisdiction, but there is conflicting jurisdiction beyond it, on account of which it has suffered.

828. I understand it has suffered likewise from the competition of the railways?—It has, no doubt; but at the same time the trade of the country is increasing, and the river traffic would share in that increase along with all other modes of conveyance.

829. But the trade of the country increasing, and the traffic generally on the river increasing, the dues payable to the Conservancy Board have been

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been reduced in amount, have they not?—They have increased since the conservators have had the control of them, but compared with what they were some years ago, they have diminished very much, of course.

830. Owing to what cause?—Owing to there being a lower rate, and a good deal of trade being driven off the river by not having been properly encouraged.

831. Sir *John Hanmer.*] You are speaking of the trade carried on in these large barges, are you not?—Yes.

832. They are relics of a barbarous age, are they not, comparatively?—A great deal of trade is done in that way now.

833. What, to Staines and Windsor Bridge?—Windsor is beyond our limits.

834. Mr. *Longfield.*] What are your particular functions?—Whatever falls within the province of the civil engineer.

835. Do you make surveys of the river from time to time?—Yes.

836. Do you present reports?—Yes, I do.

837. Do you attend the Board meetings?—I am in the house, and I attend the Board when I am wanted.

838. Do you live in the house, or are your offices in the house?—My office is in the house.

839. Do you make plans from time to time, as the work requires it?—Yes.

840. Have you any persons under you?—Yes, several; I have a surveyor and draughtsman under me.

841. Do you make out weekly minutes for the consideration of the Board as to the state of the river, and as to the necessary works?—I make special reports to the conservators of anything that requires to be done, and they give their orders.

842. As I understand you, in answer to the Chairman, you stated that there was a general plan of improvement which the conservators are carrying out from time to time, and also special works to which they devote themselves occasionally?—Yes.

843. Has the river been much improved by the works of the conservators since 1857?—Very much indeed.

844. What has been the nature of those improvements?—The removal of shoals, I think, has been one of the greatest of those improvements, and the mooring of ships; the two sets of moorings, particularly in Bugsby's and Gallion's Reaches, have been found very beneficial; ships formerly dropped their anchors almost anywhere within a certain length of the river. The anchors were dropped in shoal water, and the vessels passing, and the general navigation, suffered a great deal of inconvenience by those anchors; the ships are now moored in regular tiers, and the pilots have given their opinion, over and over again, that it has facilitated the navigation past those places very much indeed.

845. Have you deepened the navigable and useful portions of the river?—Yes.

846. So that vessels of large tonnage could float at high and low water?—Yes, in several cases we have deepened the water from seven or eight feet to 14 feet at low water.

847. Have the moorings and landing places also been improved?—Yes, very much.

848. Does this Board, in your opinion, work well; is it a skilful and attentive Board, as far as you see?—As far as I see, certainly.

849. Do they understand their business, or do they leave it all to you?—Very little, indeed, is left for me to decide; in fact, nothing is left for me to decide. I have only to recommend.

850. Do they exercise a personal superintendence over you?—Yes; a very close one.

851. And over the works?—Yes.

852. Do they inspect the works from time to time, and satisfy themselves that they are done efficiently?—Yes.

853. Have they vessels for that purpose?—They have.

854. Do they make inspections of the river often?—Occasionally; not very frequently.

855. Do you readily give ear to complaints, and suggestions for improvement?—Yes.

856. Supposing a vessel was sunk suddenly, what would be the course taken?—The harbour-master, if it was below London Bridge, according to which district it is in, reports it; and, if it is necessary to take immediate action, he would get authority, probably from the secretary, to act instantaneously; but the Board meets so very frequently that the matter would be brought before them; it could not be more than a few days before it came under their notice.

857. Do the harbour-masters report to you?—No; not to me.

858. Are you in constant communication with them?—Yes; daily.

859. Would not the addition of two, three, or four extensive shipowners on the Board be an improvement?—I have not myself known any defect in the working of the Board.

860. Do the official members of the Board, or the Corporation members, attend best, as far as you know?—I think the attendance is about equal.

861. Mr. *Joseph Ewart.*] If I understand, you are the engineer as well as the marine surveyor?—As engineer, all the surveying is carried on under my direction, and I am responsible for it.

862. Is it your duty to examine the state of the river, as to shoals and everything of that kind?—Yes, it is.

863. How often do you make your survey of the river?—I have no stated time for making it.

864. Do not you make any periodical visits for the purpose of examining the state of the river as to the increase of shoals?—I am continually having surveys made of different parts of the river; that is a thing that is going on daily, and I direct those surveys to be made wherever I consider any change is going on, or where I think they are required.

865. Do you find these banks, which you say you occasionally dredge, form again?—No; I have only known one single case in which any deposit has occurred where deep water has been made, and that arose in one of the tiers. Generally speaking, I believe no accumulation at all occurs where dredging has been done.

866. Mr. *Cave.*] Ships are not allowed to throw ballast over in any part of the river, I suppose?—No, they are not.

867. You said that there was more difficulty than formerly about getting ballast; is that an increasing difficulty?—Very much so indeed.

868. And is it one that is seriously felt?—Not with regard to the shipping, but for building purposes the supply of gravel from the river is becoming exhausted.

869. That applies to above bridge, does it not?—And below bridge too. I do not think any quantity

quantity of gravel for building purposes can be got now nearer than Erith.

870. In the report of 1858, I find that the Conservancy Board complain that they have to pay persons to take away the material?—Just so.

871. That is rather inconsistent with what you are stating, is it not?—No, not at all; because the material that the conservators get, is all material that will not do either for ballasting or building purposes.

872. Yet they get a considerable sum from licenses every year above bridge?—They get the sum that is stated in the return, 600*l.* or 700*l.*

873. The loss then falls upon those who take out the licenses, does it not; the Board does not dredge, they merely give licenses?—They never dredge where they give licenses; that would not be fair.

874. Then they dredge in certain places, as well as give licenses in others?—They do.

875. At Teddington, for instance, they dredge themselves, do they not?—Yes; it is nearly all clay there.

876. Then do they only give licenses where the material is valuable?—Quite so.

877. You mentioned that copper has been found in the shoals; is that found in any quantity?—I daresay we might meet with from a dozen to 20 sheets of it in a shoal; not to a larger extent.

878. You mean copper which has been taken off the bottoms of vessels?—Yes; quite crimped up.

879. That is valuable, I suppose?—The value of what we get is not much; there is not a sufficient quantity of it for that.

880. How do you suppose ships will be supplied with ballast when your supply falls off?—That I do not know.

881. You do not know how it is managed in other ports?—No; there are very few places where so much ballast is required as in the port of London.

882. Have you any models as well as maps of your different structures on the Thames?—Yes, I have. I have models of several of the piers.

883. Would they be of any use to the Committee?—They would explain the mode of construction better than anything else.

884. When you spoke of the barges just now, did you refer to those coming down from Windsor, or those coming up from Essex?—I referred principally to those on the Guildford navigation, which leave the river at Weybridge.

885. Above bridge, in fact?—Yes.

886. Mr. *Locke.*] You say you were employed by the old Navigation Corporation?—Yes, I was.

887. For how many years?—Fifteen.

888. Were you ever consulted respecting a general line which should be preserved for the purpose of keeping the river free in its navigation?—I was with Mr. Walker when he laid down his line.

889. That was in 1841, was it not?—Yes.

890. Was that survey made at the suggestion of the Lords of the Admiralty?—No; it was more at the suggestion of the Corporation, with the concurrence of the Admiralty.

891. Was it made by Admiral Bullock, of the Hydrographical Department, Captain John Fisher, of the Royal Navy, principal harbour-master, and Mr. James Walker, the civil engineer?—Yes.

892. Were you engaged in that?—I was.

893. Was a line of embankment for the River Thames laid down, beyond which no piers or projections of any kind were to be permitted?—Those, I think, were the words of Mr. Walker's report.

894. That there were to be no piers or projections beyond that line?—That was simply his recommendation.

895. Was that in order to preserve the inshore navigation from obstruction?—No, I think not particularly for that purpose.

896. Was it for the purpose that every foot should be available for the public way of the river?—It certainly was intended to improve the general navigation of the river.

897. Was it your opinion, and the opinion of surveyors, that such projections, namely, of piers, or any other projection, tend to throw up shoals, and lessen the draught of water?—I know of no instance where that has occurred.

898. Was that the opinion which was come to, then?—There was an opinion on the part of some persons, that that was so.

899. And more especially the floating piers?—As to floating piers, there is no doubt.

900. They do throw up shoals, do they?—Decidedly.

901. Were they considered a dangerous mode of landing steamboat passengers?—Yes; but those floating piers consisted of barges run out from the shore of the river.

902. And they took the ground?—Yes.

903. Do those which you have constructed take the ground?—No, they do not; at an exceedingly low tide I think one or two do, but generally speaking, it is intended that they should be always afloat.

904. Is it your opinion that where accommodation is required for steamboat passengers, the water should be deepened for steamers to come alongside the wharf?—That was one of Mr. Walker's recommendations, but I do not think in practice it would be found to be a desirable one.

905. Why not?—Because I think it is far better to have the navigation inside the pier where small boats are in safety, instead of their having to pass alongside the steamboats.

906. That is the case at the London Bridge Wharf, is it not?—Yes.

907. There the steamers come alongside, I believe?—Yes.

Lunæ, 4° *Die Maii*, 1863.

MEMBERS PRESENT:

Mr. Cave.	Mr. Locke.
Mr. William Cubitt.	Mr. Longfield.
Mr. Joseph Ewart.	The Lord Mayor of London.
Sir John Hanmer.	Mr. Alderman Salomons.
Mr. Richard Hodgson	Mr. Somes.
Mr. Hutt.	Mr. Western Wood.
Mr. Lindsay.	Mr. Blackburn.

THE RIGHT HONOURABLE WILLIAM HUTT, IN THE CHAIR.

Mr. STEPHEN WILLIAM LEACH, called in; and further Examined.

Mr. *S. W. Leach.* 4 May 1863.

908. Mr. *Locke.* I WAS asking you, at the last meeting of the Committee, with respect to the report of Admiral Bullock and Mr. Walker, the civil engineer; I think you have stated that they were of opinion that the projections threw up shoals, and consequently lessened the draught of water, especially floating-piers, which they also considered a dangerous mode of landing steam-boat passengers, being constructed generally of old barges, which take the ground; and I think you stated that these new landing-places did not take the ground?—Quite so.

909. How is it that they do not take the ground; will you be kind enough to explain that?—This is a plan (*referring to it*) which shows the Tunnel pier under the old state of things.

910. Which are the banks of the river there?—This is the north bank; the south bank is considerably further off.

911. Where is the Thames Tunnel?—The tunnel is not shown upon this plan.

912. Where is the landing-place?—As it originally was, it is represented by these three barges.

913. Then, is this the low-water line on the north side of the river?—Yes.

914. What is this further brown mark?—That is the outer barge, which was always afloat; these others, as you see, are within the low-water line, consequently they were always a-ground when the tide was out.

915. Then that, in point of fact, represents the old pier before the alteration?—Just so.

916. What is the difference which has been made?—It is quite clear that there was no in-shore navigation there.

917. This end barge, I presume, was always afloat?—Yes.

918. I presume the difference was this, that you do not make the way from the shore to this barge over different barges laid alongside one another, but you drive in piles, and erect a road-way over them instead?—Yes.

919. And your barges, or whatever you call them, upon which the passengers land, or from which they embark, are always afloat precisely in the same way that the barge which was used for the same purpose previously was afloat?—Yes.

920. And that is the only barge, in point of fact, that is now used?—Yes.

921. And the access to it is by roadway, upon piles, instead of different barges put end to end; is that so?—It is. These bridges (*referring to the plan*) have a span of 60 feet each; they take the place of the barges which grounded before that.

922. Some of the old piers, erected by private individuals, are constructed upon the same principle as those which the Thames Conservancy now construct; are they not?—Very similar.

923. For instance, the one at the Temple is?—Yes. The openings are scarcely so wide, but the main principle is the same.

924. Are there any other private piers that are constructed on the same priciple?—Yes; there is one at Nine Elms, and there are those two which Mr. Thomas Cubitt constructed, one at Pimlico, and the other at Vauxhall Bridge Road.

925. Are those good piers?—They are, very good.

926. Just as good as yours?—Those of Mr. Cubitt's are very excellent piers, the other is scarcely so commodious as ours.

927. Was this the recommendation of the Commissioners under which Mr. Walker's line was laid down, "that, in all cases where accommodation was required for steam-boat passengers, the water should be deepened for the steamers to come alongside the wharves, as in the case of the London Bridge Steam Wharf, St. Katherine's Wharf, and Irongate Wharf?"—They recommended that as an ultimate course, not as an immediate one.

928. Is it the intention of the Thames Conservancy to adopt that as an ultimate course?—I think not.

929. For what reason?—The course they have adopted is better, and is more consistent also with Mr. Walker's report. Mr. Walker recommended that the river should be deepened systematically, the greatest depth at the centre, decreasing towards the sides. It is quite clear, if deep water had to be made

made close to the side, that recommendation of his could not be carried out; and I am quite prepared to say that deepening the water close to the side in special localities would induce an irregularity in the stream, which would not be at all desirable, that the mode of bridging out to the deep water is much more desirable for the condition of the river.

930. Then, in point of fact, the Thames Conservancy do not agree with Mr. Walker's report in that particular?—I think not.

931. When the Thames Embankment was made, I presume you would not then propose to carry out these piers, similar to those that you have lately erected?—No. It is one part of the Thames Embankment plan to have as deep water as can be got close to the embankment.

932. Then, when that is erected, the Thames Embankment Commissioners, whoever they may be, will then adopt Walker's plan. Is that so?—There is this difference: the Thames Embankment is carried out a considerable distance from the shore; it is brought out to the low water; that is a different case to the other.

933. But it is only a difference in degree, is it?—Certainly, in degree.

934. Will the Thames Embankment be brought out to low-water mark?—Yes, it will generally.

935. Not always, will it?—Very nearly.

936. But still on the outside of it, I suppose; are you enabled to say whether a steam-boat would be able to float when it is made?—I consider it will always be necessary to dredge the water in front of the Thames Embankment, and for this reason, that the whole of the frontage of it is on the concave side of the river, and the tendency seems invariably to be to throw up shingle against an embankment situated as that is.

937. Then you think it will be always necessary to dredge?—I do.

938. Unless, of course, you adopt the same principle which you have adopted now, of carrying out your piers upon piles?—Yes.

939. Was this report of Mr. Walker's carried out by the Thames Navigation Committee previous to the establishment of the Thames Conservancy?—They very soon found that it was impracticable to carry it out.

940. When did they find that out, and in what instance?—The particular instance does not occur to me at the present moment, but I can make it quite clear upon this plan: that which is tinted red (*referring to it*) shows the line which Mr. Walker recommended, and the idea was, that, whenever a wharfinger wished to embank, they should carry out their embankment to that line. It is quite clear that where a single wharfinger carried out his wharf 100 feet, leaving the wharfs on either side in their former state, it would have been a most prejudicial encroachment on the river, and so the Navigation Committee very soon found that they were unable in all cases to follow Mr. Walker's recommendation.

941. But did they follow it in certain cases?—They did in cases where the extension was small.

942. Do you recollect in how many cases they have carried it out?—They carried it out to a very considerable extent, as is shown on this plan; if I recollect right, over a mile and a half round the Isle of Dogs.

943. And there they carried to an embankment, did they?—They did not carry it out, but they permitted the owner to do so.

944. There was one owner there, was there?—Yes.

945. And he improved his property by carrying it out, did he?—Yes; but the expense of carrying it out was considered about equivalent to the advantage he gained.

946. That was carried out to Walker's line, was it?—Yes, it was.

947. Was that opposite Greenwich?—Yes; but the extension there was very trifling, indeed; still there was one uniform line formed which has been of great advantage to the river.

948. Does the Thames Conservancy propose to carry it out further, to enable the owners of property on the banks to carry it out to Walker's line?—No; they found just the same objection to it that the Navigation Committee did.

949. What was that objection?—That there would be in many places undue projections into the river.

950. Is Walker's line so drawn then that it is not straight?—No; but if it was carried out in short lengths it would present great difficulties.

951. Supposing it was carried out altogether, do they think, that would not be beneficial?—That is so large a question, and a thing so unlikely to be done, that I do not think they have ever contemplated it, certainly not the carrying it out for any considerable length; it would involve the purchasing of the wharves just like laying out a new street.

952. *Chairman.*] But suppose the individuals to whom the property belonged were to unite together and bring forward a plan for embanking up to the line of Mr. Walker, in that case would the Conservancy adopt Walker's line?—They would be very much disposed to do so; they would think Mr. Walker's suggestion and his authority worthy of great attention; but at the same time, I believe the Conservators are beginning to look at it in this light, that lighters and vessels are increasing so much, that it is very essential to them that they should have as much water way as possible; and I have known cases where applications have been made to embank out to Walker's line, and those applications have not been acceded to, principally with this view, that it would make an encroachment on the water way, which would not be desirable as regards lighters and other vessels.

953. Mr. *Locke.*] Then the Conservators, I suppose, object to the Thames Embankment upon that principle?—Do you refer to the north side embankment?

954. Yes?—That is an exceptional case.

955. Why so?—Because the river is unduly wide there, and the appropriation of that to the embankment is no detriment whatever to it.

956. Do you call it unduly wide at Somerset House?—It begins to get wider there.

957. Do you call it unduly wide from Waterloo Bridge to Blackfriars?—It is very materially wider there than it is at Southwark and London Bridge; half as wide again.

958. Then did they object altogether to an embankment on the south side?—I do not think the matter has been before them; they have not expressed any opinion upon it.

959. They are empowered to grant these licenses for embankments on to Walker's line, are they not?—Not specially to Walker's line.

960. But anywhere?—Anywhere.

961. But within Walker's line, I presume?—Or without it; they are not restricted at all.

Mr. S. W. Leach. 4 May 1863.

962. Are they not restricted to embanking within it?—No.

963. You can embank anywhere you like, can you?—Yes.

964. Then have not the Conservators given the subject consideration as to the propriety of embanking on the south side, having those powers vested in them?—The embankment on the south side, I believe, is now before Parliament.

965. But is it not also before the Thames Conservancy?—Yes, it is under their consideration.

966. Well, having given it their consideration, have they come to any definite opinion upon the subject?—Not that I am aware of.

967. How long have they been considering it?—I do not know; I have had to report upon a portion of it, but not that portion near London Bridge.

968. What is it that the Conservators do consider?—Any cases that may be brought before them.

969. Cases brought before them from time to time?—Yes.

970. But as to any improvement of the river, or as to any principle they will adopt, they give no consideration whatever to that; is that so?—Oh, no.

971. Then what is it that they do consider? I want to know, with the exception of the ordinary business of the Conservators, what subjects there are with relation to the improvement of the river Thames to which they give any consideration?—Perhaps the most important matter they have had before them has been the deepening of the channel of the river.

972. Have they considered the question of deepening the channel of the river with reference to its banks, and with reference to embankments by the side of those banks?—Certainly.

973. Then have they considered the Thames embankment on the south side, or have they not?—They have considered it; there is no question of it; but I do not think they have come to any determination upon it.

974. How long have they been considering it?—I cannot say.

975. They have now been appointed seven years, have they not?—Yes; but this question has only come before Parliament this Session.

976. Mr. *Longfield.*] Has the plan been brought before you by the direction of the Board?—Not that part extending from Westminster Bridge to London Bridge; in fact, I am not aware that that part is before Parliament at all.

977. Have you been called upon to make a report upon it with reference to the embankment?—I have upon that part extending from Westminster to Vauxhall.

978. Have you made a report upon it?—I have.

979. Has that been with reference to the question now pending?—Yes.

980. Mr. *Locke.*] But have you made any reports, or been asked to make any with reference to the embanking the south side of the Thames between Westminster Bridge and Waterloo Bridge?—No, I have not.

981. Or between Waterloo Bridge and Blackfriars Bridge?—I do not know that there has been any scheme suggested for that.

982. Then, unless somebody else suggests a scheme, the Thames Conservancy never take any notice of it; they do not consider themselves in the position to suggest anything, although they have the care of the Thames?—Oh yes, indeed they do.

983. Well, what have they suggested?—I have just stated that they have suggested dredging, and not only suggested it, but they have carried it out to a considerable extent.

984. But not with reference to any embankment?—Not with reference to a public measure of that kind.

985. Nor a private measure either, have they, although they have the power of granting the licenses?—Yes, where one wharfinger is about to carry out an embankment, I have known them suggest to the adjoining wharfingers that it would be desirable that the embankment should be continued.

986. At Bankside there has been a question of that sort, has there not?—Yes, there has.

987. What have they done about it?—They have made a grant of several embankments there.

988. Does not that militate against your principle of different wharfingers bringing them out, and their not doing so being an inconvenience?—That is a very short distance, and the extent of the embankment is very trifling there; what I referred to more particularly was where the extent is from, perhaps, 50 to 100 feet out.

989. Since the Board has been established have you allowed piers and projections to the number of 42?—I cannot say the exact number, I dare say there have been.

990. Are you aware of the report that was moved for in 1859 by Mr. Edwin James?—On what subject?

991. On the Thames Conservancy?—I do not recollect it.

992. A return of details, with names and dates of the sums borrowed by the Conservators of the Thames, and stated by them in the lump sum of 39,900*l.*; do you know whether that return has been ever made?—I have no doubt it has; I cannot say of my own knowledge.

993. Mr. Alderman *Salomons.*] Is that in your department?—It is not in my department; I can give you the particulars of it I have no doubt.

994. Mr. *Locke.*] Can you give us the particulars of the 43 grants of accommodation on the banks of the Thames, referred to in that report?—I know that returns have been made.

995. With respect to the south side of London Bridge, have not great objections been made to the erection of the pier under the arch near the land?—That was the subject of a suit in Chancery before it was completed; I have not heard of any complaints since; the plan the Admiralty assented to.

996. Have you not blocked up one of the arches of the bridge by that?—Oh no, certainly not.

997. Nearly?—No, nor nearly.

998. Can barges go through?—Yes; and we consider with greater facility than they did before. (*Pointing to the plan.*) They can get a check at that pier which they could not get before.

999. According to that, there would be a check at each arch?—No, I did not say that.

1000. Why is a check got there?—When lighters are going to the adjoining wharf, they have something to fetch up by.

1001. It does not tend to deepen the channel there, does it?—No; I should rather say that the channel had been deepened by artificial means.

1002. Were there not objections raised to that landing-place there by Sir John Rennie and other engineers, saying that it endangered London Bridge;

Bridge; Sir John Rennie and Mr. Page?—Yes, I saw that report.

1003. How far did that go?—It said that the heat from the steamboats might tend to make the stones splinter.

1004. Mr. Alderman *Salomons.*] What heat?—The heat coming from the funnels of the steamboats.

1005. Mr. *Locke.*] The funnels are directly under the arch, are they not?—Yes.

1006. Did not they say in addition to that, that the pier interfered with the foundations of the bridge?—I think there was something about that, but it is impossible.

1007. Did not he say so. Sir John Rennie built the bridge?—Yes.

1008. Did not he give that as his opinion; did not he state so to Sir John Pakington?—I do not know that he said so with respect to this pier in his report.

1009. Did he not state so in his report?—He said that danger might occur.

1010. *Chairman.*] Do you, or not, know whether he made that allegation?—I will not be certain whether he did in his report; I thought he strained the points very much indeed.

1011. Mr. *Locke.*] Is that one of the points he did strain?—I think it was, for this reason: the surface of the platform on which the piers of London Bridge are built are about 43 feet under Trinity high-water mark, and the deepest water near that pier is not more than 26 feet; that leaves 17 feet below the deepest water and the platform upon which the piers are founded, and the piles which support that platform go down about 20 feet lower, so I do not think that there is the remotest possibility of any damage.

1012. What platform do you allude to?—The piers of the bridge are built on a timber floor, the foundations of which go down about 20 feet; that timber floor is 43 feet under the level of Trinity high water, the deepest water at that pier is about 26 feet.

1013. But, have you not, in erecting this pier under the first arch of London Bridge, cut away a certain portion of those foundations?—Certainly not; we have touched nothing to within 17 feet of this platform that I speak of.

1014. Sir *John Hanmer.*] What timber was used for that purpose?—I believe it was all elm; beech or elm.

1015. Mr. *Locke.*] Before you put that pier or landing-place, or whatever you please to call it, under the first arch of London Bridge, there had been one placed there before, I think, by the Steam boat Company, had there not?—Yes.

1016. That was indicted, was it not?—Yes it was.

1017. And held to be a nuisance?—A portion of it was.

1018. Mr. Alderman *Salomons.*] Indicted by whom?—It was indicted, I believe, by an adjoining wharfinger.

1019. *Chairman.*] Not by the Thames Conservancy Board?—No, it was not.

1020. Mr. *Locke.*] The Thames Conservancy Board was not then in existence, I believe, was it?—No, it was not.

1021. And when the Thames Conservancy Board was brought into existence, they placed a pier there, did they not?—Yes, they did.

1022. Under the provisions of their Act of Parliament, which empowered them to do so?—Yes; this plan shows about what the accommodation was previously; there was very little more accommodation than that, and the Conservators considered it perfectly inadequate to the very large trade that goes to the Surrey side of London Bridge.

1023. Did that project further than the present one?—Yes, it did.

1024. How much?—I think five or six feet.

1025. Mr. *Longfield.*] I suppose the reason that Sir John Rennie thought that this pier at London Bridge would be dangerous was, either that the increased scour would impair the foundations, or that in making the foundation you would impair them also?—I can hardly conceive that that was the reason, because, as I say, there is 17 feet of ground between the foundation of his bridge and the lowest water.

1026. Had there been any increased scour there, which has tended to bear the foundation?—None whatever, the ground is much too solid.

1027. Have you impaired it in any way?—Certainly not.

1028. As to the heat, from the funnel or steam, smelting the key-stones of the arch or splintering it, is there any danger from that, or will anything result from it?—No, I do not think there is a particle of stone splintered, and I have looked very closely after it.

1029. As to this plan of Mr. Walker's making holes where the barges were, would not that have a tendency to check the current, and silt it up on the side of each hole. I will just show you the plan; this is your plan now (*referring to it*)?—Yes.

1030. By which you give a greater impetus to the channel and the water?—Quite so.

1031. If you put a hole there, would not the result be to check it, and form a bank in the way?—It would invite a current into that hole, and there would be an eddy there.

1032. So that in truth you would be damaging the river?—I have no doubt of it.

1033. I see in a certain part, the same volume of water is contained in a much greater width?—Yes.

1034. Has not that a tendency to make it flow and form a deposit there?—That was the tendency of it, but every part in the Thames is kept so in agitation by steamboats, that practically it does not occur.

1035. Then, in fact, banking it out would have a tendency to increase the scour, and increase the flow, so as to check the tendency to deposit?—Certainly.

1036. Mr. *W. Wood.*] Are you acquainted with some property which, some three years ago, was in the possession of Fergusson & Co., of Millwall?—Yes.

1037. Have the Conservators taken any steps to get possession of any portion of those premises which are within the line of embankment?—There is a dock there, known by the name of Drunken Dock, which forms a large recess at that point

1038. Have the Conservators taken any steps to get possession of that?—They made a claim to it; it was a space over which the tide flowed, and they consider that where the tide flows they have jurisdiction.

1039. Do you know how long it has been in the possession and occupation of Messrs. Fergusson?—A very considerable time.

1040. Upwards of a hundred years, in theirs and their predecessors?—I have understood so.

Mr. *S. W. Leach.*

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1041. Did you obtain possession?—There has been an arrangement made now about that.

1042. Between you and the Ironmongers' Company?—Yes.

1043. You have paid for it, have you not?—No; the Ironmongers' Company have paid for it.

1044. What, for the retention of it?—Yes, for the surface of the Dock in fact, which the Conservators have agreed to give up to them.

1045. Have they paid a sum of 250 *l.*—Yes.

1046. Have they paid 250 *l.* to the Conservators for what apparently was the actual property of Messrs. Fergusson & Co.?—That payment of 250 *l.* seems to have been a concession to the claim of the Conservators.

1047. Under the Act of 1857, you of course conceived that the Conservators had the power of taking any property of that sort running within a line of embankment of the river where the tide flows?—Yes, where the tide flows.

1048. Did not you take forcible possession of it for Messrs. Fergusson & Co.?—This case of Drunken Dock is rather a long story. The Ironmongers' Company, who now possess it, sought some time ago to induce the Conservators to attempt to establish the fact that it was a public dock, and they wished the Conservators to take legal proceedings to establish their claim to it.

1049. That question has been settled by a payment of 250 *l.*, has it?—Yes.

1050. Mr. Alderman *Salomons.*] Do I understand that there is no injury at all to the river or to the public by their having it in their possession?—No, I do not think there is any injury to the public or anybody else by their having it.

1051. Although they had it so many years, the Conservators knew they had no title, and they would actually have taken possession of it unless they had been bought off with 250 *l.*; is that so?—No, I do not think that is exactly a fair way to put it; the Conservators have no discretion in these matters. If there is a space over which the tide flows, they are bound to claim it.

1052. And to ask every man to show his title, however long he may have had possession?—I did not say what the process was.

1053. Virtually has not this been the fact; you say that it has been no injury to the public, but they thought they had a right to question the title of the claim; with a view to prevent their taking the property away, they paid 250*l.* to obtain possession of it?—I do not know what the motive of the Ironmongers' Company was in paying the 250 *l.*; for anything I know, they may have considered the claim a perfectly good one, and knew that it was right in them to pay the 250 *l.*

1054. *Chairman.*] I believe you are not a member of the Board, and you only attend when required?—Just so.

1055. Mr. *Longfield.*] The right of the Crown to all the bed of the river was transferred to the Conservators, was it not?—Yes.

1056. And they thought they had a right to insist upon the title so conveyed to them?—Yes, and more particularly as the Crown still has one-third of what is produced from the fore-shore of the river.

1057. The title was given to them, and the duty cast upon them, was it not?—Yes.

1058. And they asserted the one in order that they might perform the other?—Yes.

1059. Mr. Alderman *Salomons.*] Was the duty cast upon them to erect those piers?—Yes.

1060. Could not those who made them keep them as well as the Conservators?—Each case must be judged of by itself.

1061. Well, take the piers at London Bridge, about which there was an action; they were in the possession of appellant parties, were they not?—Yes.

1062. Could not they have insisted on putting a pier out to the satisfaction of the Conservators?—But the proprietors would not agree to do so; it was attempted to induce them to do so, and the proprietors would not agree.

1063. Was not the reason this, that they would not agree to hold it during pleasure?—That was probably one reason.

1064. With regard to Walker's line, was not that line really interrupted at a time when the City of London was in contest with the Crown, a suit being instituted as to the right to the bed and soil of the river?—No. Walker's line originally extended just over that part shown by this plan. Mr. Walker was employed by the Treasury, the Commissioners of Public Works, and the Corporation of London, jointly, to lay down that line of embankment, and a Select Committee of the House of Commons was appointed in 1841 to consider that; that was the origin of Walker's line; then, afterwards, when the suit was pending between the Corporation of London and the Crown, under the advice of counsel, Mr. Walker was again consulted, and he extended the line as far as Fulham on one side, and Gravesend on the other.

1065. That is not an answer to my question. What I ask you is this, was not the question of Walker's line and the right of the Corporation to extend it, one of the grounds which led to the suit between the Corporation and the Crown as to who really had the right to the bed and soil of the river; was not the progress of Walker's line interrupted in consequence of that?—I do not think that Walker's line was particularly involved in that at all.

1066. With regard to Walker's line, you say that at the Isle of Dogs the Conservators gave permission to embank; is that so?—Yes.

1067. Was that these Conservators or the old Conservators?—The Corporation of London.

1068. What year was that in?—I think in 1843.

1069. Mr. *Longfield.*] I presume, the origin of the claim on the part of the Crown was this, that the Crown thought that they would make money of it, and did so by setting up their title against the Corporation?—Their object was to make money out of it, no doubt.

1070. And did they not make money out of it?—I do not think they did.

1071. Did they not get 5,000 *l.* and one-third of the clear profit?—Subsequently, that 5,000 *l.* was in satisfaction of all their claims before that.

1072. Mr. Alderman *Salomons.*] You have been for many years engineer to the Corporation?—Yes.

1073. Therefore you know the way in which complaints could at all times be brought before that Corporation?—Yes.

1074. The conservancy of the river was practically in the hands of the Navigation Committee, was it not?—Yes, it was.

1075. Could persons, who had complaints to make, go there and state them?—They could.

1076. Could they not also bring their complaints before the Court of Common Council by petition?—Yes.

1077. The

1077. The Court of Common Council is an open Court, is it not?—Yes.

1078. Then, if they had any grievence which the Navigation Committee had not remedied, they could have brought those grievances before the Court of Common Council and have them openly discussed?—They could.

1079. Have they any means of having them openly discussed before the present Board?—Not that I am aware of.

1080. Mr. *Western Wood.*] I understood you to say just now that the Board of Conservancy claimed all those inlets from the river which are covered by the tide; do you consider, with regard to Messrs. Pitcher's premises at Northfleet, whose premises are covered in the same way, that you have a right to them?—No; as far as I remember, the whole of Messrs. Pitcher's premises at Northfleet, are fenced in.

1081. What, by gates?—Or an open fencing.

1082. Still the tide covers them, does it not?—Yes; but the fact of the premises being fenced in, shews that there was a private right there.

1083. Then I must go back to Messrs. Fergusson's premises, were they not fenced in; at all events, so far as this, that there was a boom?—There was a boom across there.

1084. Was that removed?—Yes.

1085. Then what was preservation of property in one case, would be good in another, would it not?—Yes; but that boom, I think, was the subject of litigation for a considerable time; their claim to put it there was never admitted.

1086. Then you have not yet made any claim to Messrs. Pitcher's premises at Northfleet?—No.

1087. At the time of the entry of the Prince and Princess of Wales into London, was there not a steamboat sunk off London Bridge?—About that time.

1088. Have you any knowledge of the cause of that accident?—Yes.

1089. What was it?—There was a stone in the bed of the river upon which the vessel struck.

1090. Was not that caused by any of the erections which you have recently been putting up there, which are considered by some persons to impede the navigation?—No; I am certain it was not; the stone was much too large.

1091. Do the Conservators have a steamer for themselves?—Yes, it is employed in the harbour service, to visit one district in the port of London.

1092. There was no such thing as that, was there, in the time of the old Navigation Committee?—No; they felt the want of it, but they never supplied the want.

1093. That has been long since paid for, I suppose?—Yes.

1094. Does it appear in your accounts?—Yes, it is in the return to which the Honourable Member just now referred.

1095. Mr. *Longfield.*] You say the accident to which you have referred was caused by a stone; how did that stone come there?—I believe it was one of the stones that was thrown into the river among a number of others when Old London Bridge was pulled down; there are a great number of stones in the bed of the river there.

1096. Are you clearing them away?—The Conservators have given orders for their being cleared.

1097. Mr. *Ewart.*] Was it known to exist at the time the accident happened?—No.

1098. Mr. *Lindsay.*] Is the whole of the river from Staines Bridge to Yantlet Creek under your superintendence as engineer?—Yes, it is.

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1099. *Chairman.*] What is the length of that section of the river?—About 78 miles.

1100. Mr. *Lindsay.*] What do you think would be the effect of the embankment which is now being carried out on the north side of the river upon the navigation of the river; will it tend to deepen the channel, do you think?—No, I think not at all; the deepening of the channel is provided for; there is a clause in the Embankment Act which requires the Conservators to dredge the river, in order to procure the material for filling up the back of the embankment.

1101. But would not the narrowing of the river have the effect of deepening it?—I think not at all.

1102. Would it not create a greater scour by narrowing the channel?—The increase of scour would be so exceedingly slight that I do not think it would have the least effect upon the bed of the river.

1103. Then you think the embankment will neither improve nor impede the navigation?—It will improve the navigation of the river in this way, that as part of the scheme a number of shoals would be removed.

1104. But in your opinion, the embankment in itself will not tend to deepen the river?—Not at all.

1105. You are aware that it has been proposed to embank the south side of the river?—Yes.

1106. Have you formed any opinion of your own as to the effect of what that embankment will be upon the channel of the river?—As far as it has been proposed, and I do not suppose any proposal would take in more than Mr. Walker proposed, which is shewn on this plan, I do not think it would have any appreciable effect upon the river.

1107. How many dredgers have you?—We have three.

1108. How are those dredgers principally employed?—They are employed in removing shoals which obstruct the navigation of the river, or in deepening the water where the tiers of vessels lie.

1109. What are the powers of these dredgers?—One is only just completed and we have hardly had a trial of it yet; there are two engines of 25-horse power each, another with a single engine of 30-horse power, and the other one 15-horse power.

1110. Those dredgers are employed, I presume in removing shoals and in deepening the channel?—They are so.

1111. What do you do with the stuff which you take out of the river?—It is a very troublesome thing indeed to get rid of; we are obliged to pay a lighterman to take it away from the dredger, and we have frequently been obliged to pay for unloading it upon somebody's ground, and persons have sometimes asked for payment for allowing it to be deposited there, but we have always been able to avoid having to pay.

1112. Would any portion of it be available for ballasting ships?—Very little.

1113. *Chairman.*] What is it chiefly composed of?—A great deal is composed of the London clay and alluvial deposit.

1114. And mud?—Very little; there is very little mud in the river.

1115. *Mr. Lindsay.*] Do you know how many dredgers the Trinity House have got?—Three.

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1116. Are those dredgers employed in any way for the improvement of the river, or solely for the purpose of dredging for ballast to be sold to ships?—Their employment is getting ballast for ballasting ships; but at the same time I should say that they have made some very great improvements in the navigation of the river.

1117. Do they dig for ballast where they please, or are they obliged to be guided in that by the Conservancy Board?—They set the dredgers to work themselves, and if the Conservators find them working at improper places, they represent the matter to the Trinity House, and it has always been attended to.

1118. *Chairman.*] They are required to attend to it by Act of Parliament, are they not?—Yes.

1119. The Act of Parliament gives the Conservancy Board, I understand, power to direct the Trinity House where they shall commence their dredging operations, and power to restrain them if those operations take place where the Conservancy Board does not approve?—I think the power is, that the Conservators can request the Trinity House to remove any of those shoals which are not fit for ballasting ships; but then the Conservators are compelled to pay the Trinity House for doing so.

1120. Mr. *Lindsay.*] Do you think it would tend to economy if the Conservators had that power in their own hands?—On the face of it I think so. There must be a vast expense in keeping up six dredgers where three would do the work.

1121. Do you think that three dredgers would do the work?—I do.

1122. It is necessary to keep the channel in a proper state; do you think three dredgers would be sufficient for the purpose, and for the supply of ballast to ships frequenting the port?—I think so.

1123. Consequently you think that double the number being employed is unnecessary?—Yes; I should explain that one of the dredgers, and the most powerful one belonging to the Conservancy Board, has only recently been fitted up. They were required by the Thames Embankment Act to dredge the river in connexion with that, and as they had only two dredgers, they were fearful, if one broke down, they would not be able to do that which the Act required, and therefore they had a third built.

1124. In deepening the river, suppose it is necessary to remove a shoal where there is a large quantity of stuff suitable for ballasting ships, can the Conservators sell that to any shipowner they think proper?—No, they cannot.

1125. What would you do with it in that case?—If there was a large demand for gravel, the Trinity House would buy it at a small price from the Conservators, who otherwise must be at an expense to get rid of it.

1126. With regard to the dredging above London Bridge, is that entirely under the control of the Conservancy Board?—It is.

1227. Do you grant licenses at that?—Yes.

1228. What charge do you make for a license for digging ballast?—The charge varies; the smallest class boat that is charged contains five yards; a boat which contains five yards is charged 7 *l.* a-year, under 10 yards they are charged 10 *l.*, under 20 yards the charge is 15 *l.*, and for 30 yards and above, the charge is 20 *l.* a-year; steam-dredgers are charged monthly at the rate of 200 *l.* a-year.

1129. Are there any special conditions under which you grant these licenses?—Yes, there are.

1130. Will you state what they are?—This (*handing one in*) is the form that is granted; and they are granted upon condition that the regulations on the back are complied with. The regulations are these:—"1. That the space in the river within which dredging will be allowed shall be as under: between London Bridge and Barnes Railway Bridge, not exceeding 30 yards on either side of the centre of the river, nor deeper than 10 feet at low water. 2. Between Barnes Railway Bridge and Teddington Lock, not exceeding 15 yards on either side of the centre of the river, nor deeper than 7 feet at low water. 3. Between Teddington Lock and the City Stone, at Staines, not exceeding 10 yards on either side of the centre of the river, nor deeper than 7 feet at summer low water. 4. No dredging will be permitted within 100 yards of any bridge, nor within 50 yards of any lock, or weir, nor within any of the lock-cuts, nor between any island and the banks, without sanction, in writing, of the Conservators, or of the engineer, under their sanction. 5. That this license be kept on board the vessel for which it is granted, whenever she may be working or loaded; and that it be produced whenever required by the officers of the Conservancy. 6. That the name of the vessel and owner be conspicuously painted in white letters on a black ground, in characters of not less than 2 inches in length, and in such a position as to be seen when the vessel is fully laden. 7. That all applications for licenses be made in writing, addressed to the secretary. 8. That the party holding this license shall, within the first 3 days of each month, give notice, in writing, to the Secretary of the Conservators, stating the part of the river, not exceeding 2 miles in extent, within which he proposes to dredge during that month; and he shall not dredge beyond that limit without giving 3 days' notice to the Secretary. 9. That this license be forfeited on the infraction or evasion of any of the above conditions."

1131. What depth of water do you maintain from Westminster Bridge upwards?—It is exceedingly shallow in places.

1132. Is there no depth that you are bound to maintain in the navigable part of the river?—No; it is a part of the river that requires a good deal of dredging.

1133. Sir *John Hanmer.*] Does it silt up again after you have dredged it?—No; I have only known one instance in my experience, and that was at one of the tiers at Horsleydown.

1134. In whom are the artificially raised banks of the river vested; are they placed in your charge?—No; in the Commissioners of Sewers.

1135. *Chairman.*] Who are the Commissioners of Sewers?—They are local bodies.

1136. Appointed by what authority?—Under special Acts of Parliament.

1137. They are called Commissioners of Sewers in Embankment, are they not?—Yes; or Commissioners of Level, in some instances.

1138. Sir *John Hanmer.*] Would not the clay which you speak of as being very difficult to dispose of, be very usefully applied for the repair of breaches in the banks?—It would be admirable for that purpose, if required, but I have never yet known a demand for it.

1139. *Chairman.*] Is not almost the whole of the river from Staines-bridge to Yantlet Creek confined

confined in its channel by these artificial embankments?—Yes, from London downwards.

1140. Does that date from a very early period?—I have heard it suggested that it was done by the Romans, centuries before old London Bridge was built.

1141. When was old London Bridge built, was it in the 12th century?—I think it was.

1142. And these embankments, you say, were certainly formed before that period by persons who understood engineering a good deal better?—Yes, they were formed previous to that.

1143. Has any accident ever occurred by which the river has burst those embankments?—Yes, there is the case of Dagenham Breach.

1144. In what year was that?—It was about 200 years ago, I think.

1145. Has there been any within your experience?—No, none.

1146. I suppose there are some certain principles for the improvement and management of navigable rivers upon which scientific men are agreed?—Yes.

1147. Is it one of those principles that the river shall be as much as possible straightened in its course?—Equalised in width.

1148. And that there should be no projections or abutments in the river?—Quite so.

1149. That is a point, I believe, about which there is no difference of opinion?—I never heard any difference expressed upon that point.

1150. Then the meandering course of a river, which is so much admired by lovers of the picturesque, is not considered desirable by scientific men?—I think it is; it is the course which nature points out, and, if that course is interfered with, it is seldom interfered with harmlessly.

1151. Has it no tendency to produce shoals?—No, I think not, as long as the river banks are properly trained, gradually increasing towards the outlet; and as long as there is no undue contraction I do not think the meandering course is particularly objectionable.

1152. But it is expedient, is it not, that the river should gradually increase towards the mouth?—Decidedly.

1153. And that there should be no irregularity in that respect?—Quite so.

1154. Does the jurisdiction of the Conservancy Board terminate at Yantlet Creek?—Yes, it does.

1155. Is that conterminous with the mouth of the river?—No.

1156. In whose hands is the management of the mouth of the river?—There is no active management of the mouth of the river. I believe it rests in the Admiralty.

1157. Are there not some very important shoals in the mouth of the river?—There are sandbanks.

1158. Do not they require great attention?—Yes, they require attention for buoyage and beaconage.

1159. Would it not, in your opinion, as a scientific man, be desirable that the administration of that part of the river should be in the Conservancy Board as well as the rest?—Yes, I think it would be desirable.

1160. Would you recommend that the upper portion of the river, that portion which is higher up than Staines, should also be in the hands of the same Board?—There is nothing in England, I think, that more requires to be reformed than that does. The constitution of the body of Commissioners is the most extraordinary there that is in existence, and if the Committee would permit me, I should like to read the clause in the Act of Parliament which constitutes them.

1161. Do you mean the clause which constitutes the Board of management of the upper waters of the river?—Yes.

1162. If you have it at hand, will you read it?—This is it; the 25th clause of the 35th of George the 3rd, chapter 10: "And be it further enacted that, from and after the 25th day of December next, the Representatives in Parliament for the counties of Wilts, Gloucester, Oxford, Berks, and Bucks, and for all cities and towns within the same, and for the University of Oxford, the Representatives in Parliament for the counties of Middlesex and Surrey, and for the Cities of London and Westminster, and the Borough of Southwark, the Lord Mayor and Alderman of the City of London, the Vice Chancellor and heads of Colleges and Halls in the University of Oxford, the Dean and Canons of Christ Church, the Dean and Canons of Windsor, the Provost and Fellows of Eton College, the Rectors and Incumbents of the several parishes that border on the Thames and Isis, on both sides, from Staines to Cricklade, the Mayors and Recorders of Oxford, Abingdon, Wallingford, Reading, Henley Maidenhead, and Windsor, the Senior Bridge Warden of Great Marlow, and the Clerk of his Majesty's Board of Works, residing at Windsor Castle, for the time being, and also every person being seized in his own right, or in right of his wife, of lands, tenements or hereditaments, being freehold or copyhold, of the value of 100*l.* per annum., in the counties of Wilts, Gloucester, Oxford, Berks, and Bucks, or being heir apparent of some person having such estate of the clear yearly value of 200*l.*, and every person who does or shall reside in either of the said counties of Wilts, Gloucester, Oxford, Berks, and Bucks, being seized of lands, tenements, or hereditaments as aforesaid, to the value of 100*l.* per annum, in Great Britain, or being heir apparent of some person having such estate, of the yearly value of 200*l.*, or possessed of personal estate to the value of 3,000*l.*, or being a holder of loans on the said navigation to the amount of 500*l.*, shall be and are hereby appointed Commissioners for putting in execution the said several Acts, and also this Act, and they are hereby authorised and empowered to execute the same, and every part of each of the said Acts, according to the true intent and meaning thereof."

1163. Mr. *Lindsay.*] Practically, who attends to the management of the upper portion of the river?—Two or three active members of that Commission.

1164. In what state is the river above Staines?—In a very bad state indeed.

1165. *Chairman.*] Is it a recognised principle among engineers that the river should be confined within its banks, and not be allowed to overflow on the low lands adjacent?—Yes, that is a very important thing indeed, and I have found that the tendency of keeping an inland navigation in an efficient state is very materially to benefit the low lands abutting on it; some improvements which the Conservators have carried out in the river, although not to a great extent, have had a material influence in that way.

1166. Then, generally speaking, is it desirable to contract the river where there is an excess of width so as to preserve that gradual line which you speak of in the course of the river?—Yes, that is particularly important, I think, where

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there is no tide; where there is merely the normal stream of the river.

1167. What is the depth of the water at London Bridge at low tide?—About nine feet.

1168. Has that increased of late years?—Not at all; the bottom of the river there is principally composed of rubble stone which has been thrown in, chiefly from Old London Bridge when it was pulled down; and it does not alter the least in the world; I have to examine it periodically, and I have observed no alteration whatever take place there.

1169. Are you speaking of that part of the river close to the ruins of Old London-bridge?—Yes.

1170. But how is it below that at a lower line?—A short distance below it is shallower, not more than 8 feet, I think, at a distance of about 200 feet below the bridge.

1171. Do you mean in the middle channel of the river?—Yes, at low water.

1172. Is that a satisfactory state of things in a river like the Thames?—No. The Conservators have given orders to have it deepened; that is a work which will be in progress in the course of a few days.

1173. What is the rise of tide at London-bridge?—The rise of springtide is, in round numbers, 20 feet.

1174. Mr. *Alderman Salomons.*] And what is the rise of ordinary tides?—The rise of neaps is about 16 feet; there is about 4 feet difference.

1175. *Chairman.*] What is the least width of the river below London-bridge?—I do not think there is a less width than 770 feet.

1176. Whereabouts is that?—It does not occur to me at the moment, but I know that is the least width.

1177. Do you know what is the fall of water between Yantlet Creek and London-bridge; what is the difference of level?—There is a less tidal range there than there is at London-bridge; the difference between high and low water at Yantlet Creek is less than it is at London-bridge; the level of high water rises a little towards London-bridge.

1178. Are there any remains of wrecked vessels in the river?—I do not think there are any now.

1179. Have there been many?—There have been several, which the Conservators have removed.

1179* At the time when the present Conservancy Board came into office, were there many remains of stranded vessels?—No, there were not many then; but there had been a great deal of difficulty in removing them previously: it was a power which was very much wanted, and which the Conservancy Act supplied.

1180. Have you any plan showing the steamboat piers on the river?—This model, I think, illustrates it better than anything else; it has reference to the piers at London-bridge.—(*The Witness here explained the model to the Committee*).

1181. Have you any plan showing the piers which existed previous to the erection of those which we have now seen?—Yes; that model shows what they were previously, and this plan shows nearly what the pier was at the Surrey side of London-bridge. There was a little more accommodation than is shown on that plan on the Surrey side, but it was exceedingly inadequate for the trade that was there. I have some other plans here: this (*producing it*) is a plan of the pier at Lambeth Stairs, nearly opposite the Houses of Parliament. The Committee will see it must have been an exceedingly inadequate thing: passengers had to go down the causeway, and then to get on to the barge (which is marked here), and then on to another barge, a very small one indeed. The Conservators have put a commodious pier there now.

1182. How many piers have you erected on the river?—Eight.

1183. Do you contemplate erecting any others?—There have been two or three applications before the Conservators to put additional piers; but they have been at such expense about those that have been erected, that, for the present, they do not feel themselves justified in going on.

1184. Have you any plan showing the shoals on the river?—Yes, I have; and these (*producing some*) are copies of surveys made by Captain Bullock about the year 1830. I have a plan here that will show the present state of the river at the same places (*pointing it out to the Committee*).

1185. Are those the shoals below London-bridge?—Yes; some of these interfered very materially with the navigation. This was a shoal between Greenwich and Blackwall; it was known as the Lower Middle Shoal; that has been deepened by the Conservators from about 9 feet to about 14.

1186. And that shoal has been removed?—That shoal, which the Committee will perceive by this plan was quite in the centre of the river, has been altogether removed.

1187. When was that removed?—I think in the year 1859. There is another plan here; those red marks show the shoals in the neighbourhood of Blackwall.

1188. Those also are in the mid-channel apparently?—Exactly. That deeper shade there shows a piece of conglomerate gravel that was exceedingly prejudicial to ships.

1189. Have those shoals been entirely removed?—All those that are marked there have been removed.

1190. Were those shoals composed of a material which is usually disposed of for ballast?—No, very little of it indeed.

1191. In neither instance?—Very little. The conglomerate gravel is such that only particular machinery can deal with it. There is always admirable gravel underneath it. I have some more shoals shown on this plan off East Greenwich, right in the middle of the channel. There is one shoal in particular, marked red.

1192. Has that been removed?—That has been removed. This shoal, called Ham Shelf, opposite Woolwich Dockyard, was a very notorious one, exactly in the centre of the river, with only about five or six feet of water upon it, and now there is 14 feet there.

1193. Mr. Alderman *Salomons.*] At low water?—At low water.

1194. Mr. *Ewart.*] Was that a kind of conglomerate?—No, all alluvial.

1195. Does that show any tendency to re-form?—Not at all. I believe, at the last survey I made of it, there was no tendency at all of that kind. This (*referring to a plan*) is a shoal which shows what has been done by the Trinity Corporation, that their operations have been exceedingly beneficial. This red line shows the limit of the shoal-water when Captain Bullock surveyed it; the yellow line shows the same depth at the present time. The Committee will see that several important

portant shoals have been entirely taken away. Here is Barking Shelf.

1196. What distance is that from London; 20 miles?—No, not so much as that. It was a most inconvenient shoal; the Trinity House have now entirely removed it. Here is one quite in mid-channel, off Margaret-ness; that is material which the Trinity House cannot get rid of, and, therefore, that shoal still remains there.

1197. Because they cannot part with it?—Yes.

1198. Mr. *Hodgson.*] The other consists of stuff suitable for ballasting ships, does it not?—Yes.

1199. And that which is not eligible for sale they do not remove?—No; they are not required by their Act to do so.

1200. *Chairman.*] They are required, I believe, to remove any shoals which the Conservators require them to remove?—Yes; but, then, the Conservators have to pay them for doing it. There is one fact shown by this plan, and that is, that when these shoals are once removed, it becomes no longer necessary to beacon that part of the river.

1201. And that relieves the Conservancy Board of a considerable cause of expense, does it not?—The Conservators have not hitherto beaconed the river; the removal of the shoals would prevent any question whatever arising about the beaconning.

1202. The Act of Parliament confides the beaconage of the river to their care, does it not?—I believe that has been a moot point.

1203. Mr. *Hodgson.*] Has not the Trinity House the supervision of the buoys and beacons?—Yes, of the beacons.

1204. Entirely?—Yes; but I believe there has been some question whether the Conservators have not power also over the beaconage.

1205. I want to know who has it now; you say the Trinity House has?—Yes.

1206. *Chairman.*] I wish to ask you a question about the state of the Thames above Westminster Bridge; is that in a very satisfactory condition?—There are shoals a short distance below Chelsea Bridge, which are found inconvenient to steam-boats, and that is where the difficulty in the navigation commences. Perhaps halfway between that and the Chelsea Suspension Bridge the navigation is very fair, there is not much difficulty; but beyond that, and up to the limit of the tidal flow, it is very indifferent indeed.

1207. Are there very great irregularities at the bottom of the river?—Beyond the point I have mentioned it is nearly all shoal; that arises principally from the removal of Old London Bridge, and from the dredging which has been carried on subsequently.

1208. When the Conservators issue licences to individuals to remove the shoals, do they institute an inspection as to the manner in which the work has been performed?—Yes, a daily inspection.

1209. Do you think that the irregularities complained of at the bottom of the river have been at all increased by the manner in which those persons licensed by the Conservancy Board have obtained ballast from the bottom of the river?—No, not at all. Since those licences have been in operation, the parties have been so under control, that what they have done has been beneficial. Those who take ballast licences will not take anything but gravel and sand; so that if they meet with a shoal of clay, peat, or anything of that kind, there they leave it.

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1210. What is the bottom of the river above-bridge chiefly composed of?—Generally speaking, the gravel is removed, and then it is London clay.

1211. Is the London clay found below the gravel throughout the whole course of the river?—Yes, it is.

1212. And the object is to remove everything that is above the London clay?—Yes; whatever is above the London clay is usually that which can be disposed of for building purposes; there is no difficulty in getting rid of that.

1213. I suppose the new system of sewerage which has been adopted is very beneficial for the general purposes of the river?—Do you refer to the main-drainage?

1214. Yes?—That is a question that is very far from settled yet; whether it will benefit the condition of the river very much, so as to deprive it of all the noxious smells to which it has hitherto been subject.

1215. At present, all the impurities of the City, containing more than 2,000,000 of persons, fall into the Thames; is not that so?—Yes; but so they will when the main-drainage system is carried out.

1216. Mr. *Locke.*] At Erith?—Yes.

1217. Mr. *Hodgson.*] Do you think it would be advantageous if the Conservancy of the upper and lower districts of the Thames were in one body, one jurisdiction?—I think it would; I am quite sure that the constitution of the Commissioners of the Upper Thames might be very much improved from what it is now.

1218. Do you think it would be an improvement if the ballastage were all in one hands, in place of being in the hands of the Trinity House on the one side, and the Conservators on the other?—I think, in many cases, it would be more economically done.

1219. Do you think it would be an improvement if the Conservators of the river had the lighting, the buoyage, and the beaconage under their control?—Yes, I think it would. They are continually having the river surveyed; they are better acquainted than anybody else with the shoals that are in the river; therefore, one would suppose, they would be the best body for regulating the beaconage of the river.

1220. I think you stated that the alteration of the shoals made it requisite to have an alteration in the beacons?—It does away with the necessity of beacons in many cases.

1221. Does that confirm you in the opinion, that lighting, the buoyage, and the beaconage in the river should be in the hands of those who have the control of the bed of the river?—Certainly.

1222. Will you answer one question of fact, about which there seems to be some difference? You know the pier at the Isle of Dogs?—Yes.

1223. Have the Conservators of the river reduced the length of that pier or not?—They have not.

1224. Mr. *Cave.*] Did you not say that Mr. Walker's report did not extend from Yantlet Creek to Staines?—No; it extends from Putney Bridge to Gravesend.

1225. Was there not a report made by Captain Fisher and Mr. Walker conjointly, which goes to the whole length of the river?—Not as to the embankment of it. In 1841, Mr. Walker examined the state of the river from Staines to Yantlet;

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Yantlet; but he confined his suggestions for an embankment from Chelsea Bridge to Gravesend.

1226. *Chairman.*] I suppose copies of Mr. Walker's report can be obtained?—They have become very scarce indeed.

1227. Mr. *Cave.*] I do not quite understand the principle upon which you act with regard to encroachments; you say your property extends over all those parts where the tide flows?—Yes.

1228. But, in some cases you seem to have enforced that claim, and in others you have not. Is there any general principle upon which you go with respect to your action in that respect?—I think it was enforced in every case that came under the attention of the Conservancy Board. There may have been individual cases which were never brought under their notice where the matter had not been looked into; but I think there were very few such cases, if any.

1229. There was one case in which a boom had been placed as a fence, and another case in which you said there were fences; but, in the one instance, you enforced your claims, and, in the other, you did not. How was that?—The question of jurisdiction, in the case of Northfleet, never arose, and I am not aware that it was ever looked into. My impression is, that as the boundary of Mr. Pitcher's property was shown by a fencing, and the tide flowed into it, it had been excavated. In the other case the boom had been laid across, always under protest; the Corporation had had their attention called to it several times, and had requested the parties to remove it.

1230. Then, the principle would rather appear to be this, that, where you imagined there was some doubt about it, you would not enforce your claim?—Yes.

1231. Where your property ends, do I understand you to say, that the Commissioners of Sewers' property commences, in many cases?—No, I think I can hardly say that; I think that the question which the Chairman asked just now had reference rather to those banks which confined the river from flowing over the marshes, those banks which extend on both sides of the river a considerable distance down. There is a space usually called a reed-bed in front of the river-wall between the wall and the river, and that was in all cases, I believe, the property of private individuals, so there was that interposed between what could be claimed, as their jurisdiction and the river-wall, which was under the control of the Commissioners of Sewers.

1232. Then the Commissioners of Sewers have jurisdiction over a narrow slip within private property?—Yes, that is so.

1233. You said there had been only one accident; was there not one at the Commercial Dock some time ago, in which the embankment of the river burst?—I do not remember it.

1234. Not about three or four years ago?—I do not remember such a thing.

1235. Do you consider that confining the channel of a river does not generally deepen its bed, or do you confine your observation to the Thames?—I confine my observation to the Thames.

1236. Then the reason it does not deepen depends upon the constitution of the bed of the river, does it?—Yes, that is so.

1237. That it is too hard to be affected by the scour?—Yes.

1238. Mr. *Longfield.*] Are you of opinion that the Act of 1857, has, on the whole, worked beneficially for the public?—Yes, I am sure it has.

1239. In the improvement of the navigation?—Yes.

1240. And, in fact, in every way in which a Conservancy Board could improve it?—Yes, I believe it has.

1241. Would the addition of two or three paid officers, improve the constitution of the Board, do you think?—That I cannot say.

1242. Or elected officers?—I can only say that I have seen no defect in the working of the Board.

1243. Mr. Alderman *Salomons.*] Do not you think that the settlement of the dispute, as regards the bed and soil of the river, has helped a good deal to improve the general navigation of the river for the public?—No doubt of it; the Conservators have greater powers than the Corporation of London had.

1244. Questions of lighterage or ballastage in the river are now settled upon an understood basis, are they not?—Yes, quite so.

1245. Did not those unsightly erections, the old floating piers, which are called nuisances by the Conservators, and no doubt very correctly so called, chiefly arise in consequence of a difficulty in giving power to make permanent erections along the Thames?—I have no doubt that had a good deal to do with it.

1246. Mr. *Locke.*] But was not power given by the Corporation to make permanent erections whether they had power to do so or not; was it not done from time to time?—Yes, it was.

1247. Mr. Alderman *Salomons.*] Was there not on the one side a public demand for these piers, to land from steam boats; and was there not this on the other side, that no one had power to place permanent erections on the river, to moor the boats to?—Yes; I think that some of those who would have put a permanent and proper structure, were deterred from erecting them by the uncertainty of their title.

1248. Mr. *Ewart.*] With regard to the large stones you have spoken of, you are now removing them?—The Conservators have given orders for their removal; they were not known to be obstructions to the navigation because there was a very good navigable passage past the bridge; but it so happens that this vessel, being a little out of its course, struck upon the stone, and so it was found out.

1249. But you are clearing that passage now, are you, by taking away those stones?—Quite so.

1250. Mr. *Cave.*] Is there not a large shoal below Westminster Bridge?—Yes, there is; and it is one that wants very much indeed to be removed, and which will be removed when the Thames Embankment comes to be constructed.

1251. You are waiting for that, are you?—Yes; whilst I was acting for the Corporation of London there was a contract entered into for its removal by the Corporation; but the Commissioners of Westminster Bridge requested them not to proceed with it, lest they should damage the foundation of the bridge.

1252. Mr. *Locke.*] Has that matter been considered now whether it would be likely to injure the foundation of the new bridge?—Oh, there can be no doubt now with regard to the new structure.

1253. How is it as regards Blackfriars?—It is not so much the removal of the shoals as the taking away of Old London Bridge, which carried away that which surrounded the piers.

1254. You think that was the cause of the foundation of Blackfriars being affected, and not the removal of any shoals?—There were the two causes together: the removal of London Bridge and the removal of the shoals.

1255. But you think that no such danger is to be apprehended, with respect to the new Westminster Bridge?—No.

1256. As to Southwark Bridge and Westminster Bridge, the foundations go down to the London clay, do they not?—Yes.

1257. Was that the case with respect to Old London Bridge or Southwark Bridge?—No, not with respect to Old London Bridge.

1258. Did not the foundations of London Bridge settle?—I have not heard of its settling.

1259. Mr. *Locke.*] Are you aware that London Bridge has settled?—Not since its construction, but, in course of construction, I think it settled a little.

1260. Not since?—Certainly not.

1261. That was on the north side, I think, was it not?—Towards the eastern side, the eastern side of the bridge is lower than the western.

1262. But it is at the north side, that is to say the City side, is it not?—No, I think it shows itself more on the south side, all of the piers are out of a level, one of them is ten inches out of a level.

1263. Mr. *Ewart.*] I believe the centre arch is, is it not?—It is out of a level.

1264. Mr. *Locke.*] Was not that built with a cofferdam?—It was.

1265. How do you account for its having settled?—The most reasonable explanation of it which I have heard is that which Mr. Walker was accustomed to give, that the platform which I mentioned some time ago, upon which the piers stood, was constructed with an immense number of piles, as those piles were driven into the clay close to one another, it is a well-known fact that it will make those previously driven in jump up, they were then probably sawn off to bring them to a level, but they had lost their proper bearing by having jumped up as I said, and when the pier came to be put upon that platform the weight caused it to settle a little.

1266. Sir *John Hanmer.*] Is the duration of elm piles very great?—Endless, under water; there was elm taken out of Old London Bridge as good as when it was put in.

1267. Mr. *Locke.*] In addition to these piles which you have spoken of at London Bridge, was there not a large quantity of stone and rubble put down to form part of the foundation of the bridge?—Yes; regularly put down under the platform.

1268. Has no portion of that been removed by the erection of the pier under the south arch of London Bridge?—Oh, no; that is quite impossible.

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1269. Why?—Because that stone and rubble which was put down was secured in its place by thick elm and beach planking being spiked down over it, and that to a distance of at least 17 feet under the bottom of the river, where the pier is.

1270. But you have driven piles in to make the pier have you not?—Yes; the greatest depth is 12 feet, which leaves 5 feet between the bottom of those piers and the platform upon which the bridge is built.

1271. And you consider that there has been no inteference with that platform, or with the stone and rubble, or the piles that were driven in for the construction of the bridge?—Yes; I am as certain of it as I can be of anything.

1272. Mr. *Lindsay.*] Have there been greater improvements made in the deepening of the river and otherwise since 1857, than there were previous to that time?—Oh, yes, very much greater; the Corporation of London had no power to appropriate any part of the tonnage dues to the general deepening of the river; they could only deepen the berths for ships in the tiers; they could not deepen the general bed of the river at all.

1273. Then, in your opinion, have the improvements in the last 15 years been as great or greater as in the previous 15 years?—Much greater.

1274. Mr. Alderman *Salomons.*] In what way do you mean, in a general way?—This plan is as good an illustration as you can possibly have; here was this shoal quite in the middle of the river, with 5 or 6 feet upon it; that shoal has been removed, and there is now 14 feet of water over it.

1275. Then you improve by means of the removal of the shoals?—Yes.

1276. Sir *John Hanmer.*] How was it that the old Corporation could not deepen the river?—They had no money to do it with.

1277. *Chairman.*] Their funds were a good deal absorbed in litigation, were they not?—Yes they were, unfortunately; something was said at the sitting of the Committee on Friday as to the surveys which the Conservators carry on on the river. I have one of their recent ones here which will show the Committee that the survey is an exceedingly minute one. [*The Witness handed it in.*]

1278. What do these lines represent?—Tiers of soundings across the river.

1279. At what part of the river is that?—In the neighbourhood of Erith; that is the sort of thing which the Conservators are continually having done.

Captain Bartholomew James Sulivan, R.N., C.B., called in and Examined.

1280. *Chairman.*] You are, I believe, a Post Captain in the Royal Navy?—I am.

1281. Were you until recently a member of the Conservancy Board?—I was.

1282. I believe you have now ceased to be a member of the Board?—I have; I declined serving on it any longer.

1283. Did you take an active part in the proceedings of the Board during the time you were a member, and are you conversant of all its acts?—Yes, from its formation.

1284. Did you find that the members worked harmoniously together?—Very much so; I may say, that I went to that Board with a very great prejudice against Boards as working bodies; I had always an idea that more individual responsibility was necessary in order to work well, and I have been agreeably surprised to find how well a Board has worked, much more so than I could have supposed possible.

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1285. Then do you consider the machinery of the Board very satisfactory?—I think it has

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worked very well indeed, and although it is made up of so many different bodies, it has worked most harmoniously, so much so, that no one could in the slightest way detect anything like a party feeling amongst the members, in the few differences of opinion that have occurred at the Board, leading at all to anything like a division or discussion; I think the professional and city members have invariably been as much mixed up on one side as the other, so that there has never been anything like a difference between the professional and city men.

1286. Did you find that the members of the Board brought competent qualifications to the performance of their duty?—Yes, very much so, we had the advantage at the commencement of the Board's operations, of having two or three of the Old Navigation Committee amongst the city members, who knew the work very well indeed; those members of the Navigation Committee knew the wants of the river very well indeed, and were of course of great assistance in the working of the Board generally.

1287. Were the members of the Conservancy Board sufficiently well acquainted with the matters appertaining to the improvement of the navigation of the river, to be able to exercise control over their officers? — Most certainly; in addition to the City members, who had practical experience of the river, there were two Trinity members, whose work had taken them very much indeed upon the river; therefore they knew it better than strangers would. Although I was comparatively a stranger myself to the work, I had been living in the neighbourhood, and going about on the river a good deal, and long employed in the surveying service in the navy, which gave me a good deal of experience that was useful in the work; then, again, we had the advantage of having on the Board the two Superintendents of the Woolwich and Deptford Dockyards, Commodore Shepherd and Captain Austin, whose experience there had given them some information about the river, and as far as a new Board could be formed, I think there was as much practical experience taken into it as you could possibly expect.

1288. Was the Lord Mayor for the time being a member of the Board?—He was.

1289. And Chairman?—At first the Lord Mayor (Mr. Alderman Finnis) took a great interest in starting and forming the Board; he was very regular in his attendance, and gave us great assistance; but as soon as the Board was started and worked, it was quite impossible the Lord Mayor could go on to do so; he did so for six weeks or two months previous to his going out of office, and then the new Lord Mayor found that he could not attend the Board and attend to his magisterial duties also—the hour was always the same for his attendance at the Board and the Mansion-house—and from that time the Lord Mayor has been quite a cipher at the Board.

1290. But the Lord Mayor is not necessarily conversant with matters referring to the navigation of the river, is he?—Not in the slightest.

1291. In your mode of transacting your business, were your plans always well considered by the Board, or were they handed over to the discretion of the engineer and other executive officers?—No; the engineer and secretary have been purely servants of the Board; they have been, of course, of great assistance, the one having had 15 years' experience as an engineer, and the other, Captain Burstal, having been a naval surveyor of the Thames, and having previously made a survey for the Commissioners of Woods and Forests, bearing upon the embankment question; but they have strictly been our officers, and the practical work has been done by the members of the Board; the rule has been to meet on Mondays at 11 o'clock, and all matters brought before the Board, which required minute inspection, or professional investigation, or more consideration than could be given then, were referred to the General Purposes Committee; the Board was divided nearly equally into a General Purposes Committee and a Finance Committee; the practical working by the General Purposes Committee was in the hands of two of the most experienced members of the Old Navigation Committee, one Trinity brother, one Admiralty member, and the Board of Trade member, myself, so that there was no undue influence on the part of city members; that is shown from the fact, that in the General Purposes Committee, where a great deal of the practical work was done, I think that the professional members were almost always in the majority.

1292. Then I understand that the mode of transacting your business was this, with regard to works which you proposed to execute, that the plans and designs were carefully inspected by the Board, and after they were executed the Board inspected them with a view to giving them sanction?—If a proposal was made for an embankment by a wharfinger, for instance (which will give a general idea of the measures taken), we always asked the adjoining wharfingers if they had any objection; that was done in courtesy to find out if they had any objection; if they had, we asked them to meet us on the spot, the parties who wished the embankment, and the adjoining proprietors; we invariably visited the locality, and went into the question on the spot, accompanied by our engineer, and went fully into the case, and then reported to the Board on the next Monday. The Board then went into the question, not that it was at all a matter-of-course that the recommendation of the General Purposes Committee was taken, for we often had full discussion afterwards; in some few cases, I think, their recommendation has not been taken, but, as a rule, in the general practice, it has been adopted, but the matter has always been fully gone into, with plans, models, or whatever was necessary, by the whole Board.

1293. After the works were erected, did you inspect them?—They were always inspected regularly during and after erection by our engineer and reported upon, and when we visited other parts of the river for any purpose, we saw the new works that had been made, and any deviation of the slightest kind from the plans approved had to be referred to us immediately by our engineer, and we should immediately communicate with the parties, and go and see ourselves whether the plan had been carried out.

1294. What do you conceive to be the principal duties of the Conservators of the river?—The control of the navigation, the care of the banks, and the improvement of the navigation. Those are the principal points; in the navigation, of course, I particularly include in a river like the Thames the navigation by barges and other craft to the wharfs, which is a very important part of the trade of London.

1295. Do you consider the mooring of the shipping

shipping in the river a special matter?—That is all part of the control of the navigation of the river; it is very important, and in London an important part of this is the regulation of the large colliery trade.

1296. Is the mooring of masses of timber a subject of very great importance?—The timber is generally deposited on the foreshore in front of the wharfs; but for the regulation of the navigation, as it may be called, by that timber, we had a bye-law as to the size and number of the rafts while in mid-stream.

1297. Will you explain the system and policy of the Conservancy Board in administering those duties?—I think I may safely say that we had from the first, every desire to carry out the Act entrusted to us by Parliament thoroughly and efficiently, for the benefit of the public, and as much as we possibly could for private interests also; of course occasionally a question would arise, where some fancied private interest (for I believe I hardly ever knew a case of real private interest) might have clashed with the interests of the public, and in that case we had, of course, after consideration had been given to it, to do what we thought justice to the public, even at the risk of offending influential individuals, who sometimes thought themselves aggrieved; that was a most difficult part of our work, but in all those cases where we had any question likely to lead to difference of opinion, we have invariably given parties as much as possible the option of coming to see us, and discussing it in our room; we had numerous deputations, and we encouraged parties to come as much as possible. The whole work of the Board has been carried out in a great measure in that way; after applications or complaints made, we have requested the parties to see us, and have fully gone into the matter in their presence.

1298. Was that a matter of frequent occurrence?—Frequent, either at the General Purposes Committee on the Friday, or at the Board on the Monday.

1299. Will you state to the Committee in what condition you found the river when you first entered on your functions?—In the first place, we found the river navigation encumbered by some very serious obstructions in the shape of banks; the Trinity House in dredging, although they greatly improve the river in many places, would only touch it where good shingle ballast could be obtained.

1300. Their object is to obtain cheap ballast, is it not?—Yes; at as cheap a rate as possible. Where the banks were hard and most dangerous they would not touch them; many of those were supposed to be, until we removed them, rock; they were called rock. I instance the one at Blackwall; I think that had eight feet of water upon it. Probably there was no part of the river where vessels coming up with the flood congregated more, and wanted more clear space, that there should be no obstruction to the navigation. When abreast of Blackwall, they turn round a point where the river contracts, and where many ships are at anchor on one side, and rather a shoal point at the other; and yet at that point there was this solid shoal, with only eight feet of water over it, and vessels were brought up upon it, I believe, tide after tide; and no doubt it ought to have been removed long since. When we inquired into it we were told it was rock; the Trinity House would not touch it; it was supposed to require blasting, and it would be a very expensive job; and the same thing existed between Greenwich and Blackwall; we found by nearly tearing our dredgers to pieces we could break through the surface; we found a conglomerate of pebbles as hard as granite almost, from about 3 to 18 inches thick; then by breaking through that we found a loose material, and by taking out that loose material, and undermining the structure, we could break it down, so that as last, without the use of powder, with our dredgers we succeeded in removing them, but it was a very troublesome and expensive job.

1301. Then when you entered upon your duties you found the river very much impeded by banks and shoals?—Yes.

1302. Have they been removed?—The worst have been removed, and the others are in course of removal; I would mention the shelf off Woolwich as an instance; there is a line of men-of-war right in front of Woolwich Dockyard, at the Admiralty limit, the navigation was stopped inside them, and whole fleets of colliers coming up with the tide had to pass outside those vessels; there was only a narrow space, scarcely large enough for one vessel at a time between this shelf and the men-of-war, and I believe colliers were upon it every tide; there was only four feet of water at low water; we have now, I think, a 300-feet channel of 14 feet depth along the whole front of Woolwich Dockyard, outside the vessels.

1303. Do you consider that the navigation of the river has been improved to any important extent by the operations carried on by the Board?—Most certainly; but of course I should like persons practically experienced in handling the large vessels, such as the Trinity House pilots in the river, to speak more directly to that, because they would give, perhaps, a more independent opinion than we should; there can be no doubt on the part of those who knew the river when we took it, and know it now, that the advantage has been very great indeed. There is another point in connexion with the navigation, that I should like to mention to the Committee; in the channel there were tiers of vessels moored, and the colliers particularly, and some larger vessels in many cases, were lying aground at every tide, which, to a loaded vessel, is a very serious risk, and one certainly that they had a right to look to the Conservators of the river to remove; now where we had whole tiers of vessels grounding, they have two or three feet of water under their bottoms; we have dredged it all, so that the tiers are floating, that is another great improvement, and one most desirable for vessels. Then another thing is as to the moorings; there was a great want of mooring apparatus; vessels had to bring up at their anchors in many reaches; we have put additional moorings for the colliers, so that they can lie higher up, more readily for their orders to go up the pool; again, the moorings were in a very inferior condition, the shackles and cables were not of that superior kind which could be obtained, they were often breaking adrift where the chain was attached to the stone; we entered into arrangements with, perhaps, the best maker in London for new cables, tested to the full strength that the Trinity House have their light-ship moorings tested to, and we have replaced all those inferior moorings where we could, by those additional

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additional and stronger moorings, but all this has been done at a very considerable expense; we have also given facilities to owners of steamboats to have coal hulks moored, particularly near Gravesend; and in another place, out of the line of the navigation, yet where steamers can go alongside and coal, we have put down many of those moorings.

1304. What was the state of the piers in the river when you entered upon your duties?—I think the piers were the most disgraceful things in connexion with the river. I have no doubt that many gentlemen here will know for themselves the state that the piers were in. They were generally composed of some dirty dummies, as they were called, that is barges covered over, either attached by gangways, which, in many cases, such as those at London Bridge, were very steep, or by rows of lighters, which grounded at every tide, and wherever you found them you found an accumulation of mud round them, the shore on each side covered with mud, and, what is most important, you found the in-shore navigation for boats and lighters cut off. I think nothing could strike persons who, like myself, were new to the work so much as the bad condition of the piers in the Thames, and the want of accommodation for steamboat passengers. I have often said when going about inspecting them, that it was positively disgraceful to the river, and a thing which we ought to be ashamed for foreigners and strangers to see. From the first our attention was particularly directed to that. Those who knew the work under the Navigation Committee, explained to us that we for the first time had the power to make piers; there was no power under the previous Acts; therefore Parliament must have seen the necessity of giving some party the power; our power was quite clear, and therefore it was our duty of course to take the pier question in hand immediately; had we not done so, we should no doubt have had very serious complaints, and very just complaints against us. In order to illustrate this, I should like to give the Committee one case, which really explains very much the whole question relating to the pier accommodation, and that is the case of the pier on the south side of London Bridge. That pier had often struck me in coming to and from it, before I ever thought I should have anything to do with the river; it was one of the first things that we remarked upon in connexion with the question, that the public were cut off from the steps on the east side of the bridge, although they were the steps which led direct to the London Bridge stations, and persons could only have access by the west steps of the bridge, so that they had to cross the whole of the immense traffic of London Bridge every time they went to and fro, at very great danger; any one who has crossed it must know, for females particularly, what a dreadful place it is to cross; and yet the only pier had been put at the west stairs instead of the east. That struck us as being an extraordinary thing. We very innocently asked why it was put on the wrong side of the bridge, and we were told in plain terms, that the influence of an individual owning the adjoining wharf at the side of the east steps had been too strong—without the power on the part of the City of London, positively to place piers—to enable them to overcome that difficulty. That individual, by keeping the public away from these eastern steps, could lay a part of his steamer across them, and he could lay his empty barges across the steps, and under that part of the bridge, so that it was of great private convenience to him, and for that private convenience, thousands of persons daily had to cross the whole stream of the London Bridge traffic to come up and down the western steps. When we expressed astonishment at this state of things being allowed, we were told it had once been attempted to be remedied, but what with influence in certain quarters, and also at last indicting a pier when put to the eastward, for a nuisance, I think, at the Kingston Assizes where a jury had decided it was an obstruction, the attempt was unsuccessful. It was quite evident to any one that no pier could be put in the river, if no obstruction was to be put in the river, for however slight it may be, a pier put in the river must be a slight obstruction. Parliament provided for that in the Act, by saying that we should put piers where it was convenient for the public, and where they would offer as "little obstruction as possible" to the navigation of the river, showing that it was not supposed it could be done without an obstruction; although I am quite certain that the supposed obstruction was trifling. We were told also that 3,000 persons coming from the Greenwich and Woolwich lines, principally from Blackheath and all that quarter, coming to the westward by the boats, had found the evil of crossing the stream of traffic of London Bridge so great that they had petitioned for a pier on the east side; and yet for all that, the interest of the one individual was allowed to outweigh it all, and so it remained till we took it up. The steamboat people immediately applied to us for leave to put a pier there. Surprise has been expressed that we have not granted leave to put piers; the fact is, our Act does not give us the power, except where it is in front of a private property, and then we may grant the pier to the owner of that property; but at any public landing-place we have no power whatever to depute our authority to put piers to any one; we must put them ourselves, or we must leave the want unsupplied. I doubt myself whether Parliament intended, even in front of private property, to do more than grant them power to make piers for their own accommodation. I do not think it is clear that public piers for steamboats and the public generally were intended to be put up by private individuals; but in one case where we had to deal with the Fishmongers' Company, we did agree to let them put it up if they wished, but in no other. Therefore we could not let the steamboat company put up a pier at the south side of London Bridge. If they had done it, they would probably have had to fight the battle over again, and as we had indisputably power to put piers where we thought it convenient for the public; it was better that we should do it so that any opposition should be made to us. We therefore decided at once to take steps to put a pier which should extend under the arch of the bridge with a pathway to each steps, so, if parties wished to go up either side they could do so, and thus avoid crossing the stream of traffic. There is no doubt that the eastern steps were as much the right of the public for its convenience as the western. Directly we did so, an injunction was moved against us in the Court of Chancery, by the proprietor of the wharf, to prevent our putting it, on grounds that really any professional man should have been ashamed to have advocated; the whole secret of the case was this, that it was an inconvenience to give up the private use of the front of those steps.

1305. Will you state what was the result of

of that application? — The result was this. Engineers and others were brought against us; we had equally strong engineers on our side, who declared that we were doing no injury whatever, and we had strong evidence from pilots, from the Government harbour-masters at Woolwich and Deptford, and from surveying officers of the Admiralty travelling daily by the steamboats; and the testimony was so strong in our favour, and the undoubted right to place the pier so strong, that the Vice-Chancellor decided that we had a perfect right to place it: and if we had done any of the damage that was said to be done, either to the bridge or to the proprietor of the adjoining wharf, he gave them a year to prove damage before a court of law, and if they did not do it within a year, he should decide in our favour; but he allowed us to go on with our pier. The result was that the year elapsed, without the possibility of proving the slightest damage: no action was brought, the decision was in our favour, and this individual had to pay his expenses, and ours also. We carried our point—we gave the public a right to their own steps. To show the value of this, I will mention that from the time the new pier was made, the number of persons who landed to go to the railway by it doubled and, I believe I am safe in saying, trebled. The danger of crossing London Bridge being removed, numbers used it that would never use it before; and to show the necessity of the steps on that side, seven out of eight of those who landed on the pier went up the east (the new) steps, and we have had as many as 17,000 persons landing in a day, going up these new steps to the Crystal Palace. Had we not put that pier, those 17,000 persons, if they had ventured to go, must have crossed the stream of London Bridge both going and coming; and when I tell the Committee that I believe from 2,000 to 17,000 is the number going daily by this pier, hundreds of thousands of persons in the year using the very steps that, prior to our taking office, were monopolised by one private individual, and those hundred of thousands were obliged at risk to cross the traffic of London Bridge, I do not think I could give the Committee a clearer instance of the necessity of some body being entrusted with the power of making piers, or of the kind of opposition made to the putting-up of piers.

1306. In all the cases where you found these piers are ill-constructed for the purposes of navigation, and dangerous to individual safety, did you substitute erections of a more proper description?—Yes, we took the worst piers, which we thought first required attention. There were some very good piers, which had already standing bridges, with a water-way underneath for boats and barges; those we did not interfere with, but only with those wretched dummies which were blocking up the in-shore traffic.

1307. Will you explain what you mean by a dummy?—A barge decked over. They were moored by chains; the consequence was that the blow of the steamer coming up alongside jerked them and jerked every one upon them. Many who will recollect landing from the penny boat on the north side of London Bridge, will recollect that the traffic by that boat, which was very large, was all placed upon one dummy, upon which the on-coming passengers were detained by a chain, and not allowed to pass, while the others went off; that was the whole accommodation for all that large traffic at London Bridge by that boat. In the same way, with regard to the other boats, the accommodation was equally bad. On these dummies there was not the slightest shelter; a person going there and waiting for the boat had to remain in the rain, without shelter or convenience of any kind. We felt that the passengers had a right to expect shelter from the weather, and certain conveniences where they had to wait for boats upon an exposed river, quite as much as at a railway station. The wind on the river, setting up and down the stream as it does, is in the winter dreadful on these exposed places; and any one who has borne it for five minutes must feel that the public had a right to expect something better. Therefore we decided to put up better piers as we could venture to lay out money, taking the worst first, and putting up a pier which, while it did not obstruct the in-shore navigation, should have fixed pontoons, not liable to move with every blow of the steamer; and upon those pontoons there should be waiting-rooms, and some kind of common convenience, which I believe had never been thought of on piers before. After the south side of London Bridge, we began with Paul's Wharf, and we put that exactly on the same principle as those two piers on the model, only not as long. They have been the cause of litigation again on the north side of London Bridge. We have already found, although much better than the previous pier, that it is deficient in accommodation for its length; and I believe, when I left the Conservancy Board, they were about to have plans for doubling the length of that pier; it will then be very nearly as long as this new pier. The wharfingers inside have never made the slightest complaint of any obstruction to their navigation; the barges and boats pass freely under the bridges; and, instead of being an injury to the wharf property inside (I speak as a professional man, and without the slightest hesitation), I say it is an advantage to them to have these long piers, in two ways. One is, that it protects the deeply-laden barges and boats from the wash of the steamers, because it acts like a breakwater at the back of the in-shore navigation; and instead of the barges at those wharves being lifted at all by the steamers going by, they lie in perfectly smooth water. Then, again, there is a steep bank built on the shore, which they cannot get over till half-tide; the barges were always obliged to anchor outside of their wharves, and there wait till the tide rose, then weigh anchor again and go into the wharf. That, with a barge with one man on board it, at most two, added to the difficulty. Now I have repeatedly seen at Allhallows Pier six or seven, and I think one day eight, barges that had come up on the flood-tide, all hooked one on the other. We have given them facilities for doing that to the pier inside, and quietly waiting there till the tide enables them to haul in, thereby saving them the trouble of dropping their anchors. I have spoken to several of the bargemen myself about it, and also to the pier man, and asked what they say; and they have assured me that the men consider it a very great convenience, and that they avail themselves of it very much. Therefore, even though it is true that a pier placed is some obstruction, and it is possible a barge may get foul of it here and there, yet on the whole it is an advantage, even to the wharves abreast of it.

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1308. And to the navigation of the river?—Yes; nothing can come in the line of those two piers, because they are exactly in the line of the first pier

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of London Bridge. There is another very great advantage in it. Some questions were put upon Mr. C. Walker's proposal to put the piers close in and dredge holes for them. In the first place, taking the part off London Bridge, it is plain that the great inconvenience which steamers felt before would be retained. One of the applications made to us was to remedy the inconvenience of not being far enough out when alongside the pier, to go through the arch. They had to go outside the pier of London Bridge, to back out, cross the whole traffic of the river going by at the time, before they could get room to go through the arch; by putting the piers in a line with the first arch of the bridge, the vessels go through the arch, still leaving the in-shore navigation exclusively for barges and lighters, therefore it certainly is, in every respect, a great convenience to the navigation, both inside and out.

1309. Can the barges pass between the pier and the shore?—Thoroughly, there is a clear passage for barges. The only thing that obstructs it at all at the lower pier are the old piles in front of the Fishmonger's and Mr. Thornton's wharves, where the dummies were made fast to them, and which now somewhat obstruct the approach to their own wharf, as well as to the in-shore navigation. If those were removed, as I suppose they will be, the in-shore navigation will be clear.

1310. The Conservators put up another important pier opposite Fishmongers' Hall: will you state the circumstances attending that erection?—That is the pier that I was now alluding to, the two went together; one of the first things to which our attention was called was, the want of accommodation on the north side of London Bridge; a few of those dummies that I have described gave the whole access to the City side, and the traffic there was enormous; steamers were lying two or three deep. So great was the want of accommodation, that the Greenwich and Woolwich steam-boats, the whole traffic, indeed, below London Bridge, could not get accommodation; they had to land their passengers upon a little dummey or decked boat alongside the steamers in the tier below London Bridge; and the whole of the Greenwich and Woolwich passengers had to cross this dummy, to climb over two steam boats, another dummy, and then go through Fresh-warf. The complaints that were made was by the persons interested in the Greenwich and Woolwich Company, dwelt particularly upon this; and they said, that respectable females would not come by the boats, because they had not access to the shore that was fit for them. I need hardly say, that to cross two, and sometimes three, steamers, as well as two or three dummies, was not a fit mode of landing a large passenger traffic.

1311. Has that landing-place been removed?—It has all been removed by the new pier.

1312. Was it removed by the act of the Conservators, or abandoned by the proprietors?—It has been given up since we have given them this accommodation at the new piers.

1313. I observe that these two piers at Allhallows stairs and at Old Swan stairs lie very close to one another. Does the demand for accommodation justify those two piers?—We went carefully into the amount of accommodation required, and we found that without 560 feet of pier accommodation we could not accommodate the public or the boats. The boats are above 100 feet long; there are four companies working and each company has a boat coming and going; the great thing is to obviate if possible the stepping over boats which leads to accident, and which always had to be done at the old piers. We found that to do the work properly we must have that length of accommodation. It then became a question whether we should give it by one long pier or by two, but we have no power to put piers except where there are public stairs to put them to, and there were only these two public stairs. We could not have put one pier for the whole accommodation, both to and fro, to bring them into one stairs, and we saw it was best to take the two stairs, put a pier to one for a departure pier, and a pier to the other for an arrival pier. The upper one, although further from London Bridge, had one advantage, although the London Bridge is three or four hundred feet nearer Gracechurch-street, to which a great deal of the traffic goes, the Allhallows pier is the nearest and most direct line to the Exchange and the Bank, to which about one third of the traffic goes, and, therefore, we were dividing the advantage, as it were, between those two great highways of traffic by putting piers at those two places.

1314. I believe you have put up eight or nine of those piers?—I think we have.

1315. Are they given gratuitously to the public?—The public land perfectly free; they pay nothing but the fare of the boat, but the steamers pay us a rental. By our Act we are empowered to charge a certain sum per call for the boat, 6*d.* a call for steamboats coming into the pier. We have never, I think yet, except for an occasional excursion, asked more than 4*d.*—2*d.* or 3*d.* in the summer, and 4*d.* in the winter; that was one of the points that we found inconvenience from, and which we wished to rectify when we came to Parliament. The Steamboat Companies have always been in the habit of paying so much a hundred passengers, and they like that better than paying so much per call, because they might be paying per call when they had very few passengers. We were quite willing, but had not the power; therefore, in the amended Bill we asked for power to charge either way; but we have adopted another way, whether it is quite clearly within our Act, I am not quite satisfied, but it was done at the wish of the steamboat proprietors. We have agreed for the use of the pier for a lump sum annually from each company, in lieu of 6*d.* per call, which saves keeping an account of the number of calls. I believe I am right in saying that they pay less—certainly less in proportion to the number of passengers landed by our piers—than they were in the habit of paying for the much worse accommodation that they had before.

1316. Did the proprietors of the old piers also take toll?—Yes, and that is really at the bottom of the whole opposition about these two piers, the real secret is this, those little black dummies marked upon that plan belonged to the Fishmongers' wharf and the adjoining proprietors. I have heard that they got something like 300 *l.* or 400 *l.* a-year for those, and although no independent men could help seeing that it blocked up their access to their own premises, for they had to move in some cases the dummies to let a single barge in, yet as they got this 300 *l.* or 400 *l.* a-year by it, they did not mind this inconvenience to their traffic; when we determined to put up the piers, it would of course take away their 300 *l.* a-year, they were only there on sufferance,

sufferance, they had no right to remain, we could put them away whenever we chose; that there was no dispute about, even in the law-suit; but they could not object to our putting them, because we were taking away 300 *l.* a-year from them, that would not have held for a moment, so they said "you are obstructing the approach to our wharfs," and they got persons to make affidavits to that effect; had the proceedings taken place in a Court where we could have cross-examined these witnesses, I have no doubt they would have broken down in a moment, because it must be evident to any one who knows the place, or any sailor, that with these inner barges removed, which blocked up the actual access to the wharf, the wharf traffic alone would be much better by the change. But then they would lose their 300 *l.* a-year, and one of the objections made was this, I never heard it until the trial was coming on; they got the Attorney General to come forward as an objector, and say that we were not complying with our Act in taking away from the public a portion of the two landing-places. Before we went into the landing-place question, we clearly ascertained that since the steamboat traffic had come there, these two public stairs had been entirely given up as public landing-places for boats; we could not find a soul who had heard of a passenger landing at them, or a bale of goods landed at them for 20 years. The only way in which they were used was this; when barges were grounded on the shore, the bargemen for their convenience sometimes would get out on to the shore and go up those steps. I believe we might, without the least injury to the public, have taken the whole of these steps for a steamboat landing-place, and by that we should have given an uninterrupted passage to the full width of the steps for the public; but to meet the whole of the objections against us we left a ladder-way four feet wide for the possible man to land at once in 20 years. With reference to the question whether we had not taken away from the public a right of access, I wish to mention one striking fact, which I think will at once set that question at rest. One of the proprietors who was advised to proceed against us for an injunction, (and, I may say, although one case would have tried it, they got four cases against us, and went to the expense four times over as to witnesses, affidavits, and everything, instead of trying it by one), a landlord of one of the wharves was induced to become a party to join the Fishmongers' Company and others against us, they had leased their property, the very property which they declared was injured, to a leaseholder who certainly, if any man had suffered, would have been the person, and not only would he not be a party to object, but he allowed that it did him no injury; on the contrary, that there were some advantages in the alterations of the steps. This was afterwards made a question by the Attorney General, who sought to get a handle against us by reason of it; we made it, at this person's request, to facilitate the access to his wharf; and to prove that this is so, I heard in evidence from Captain Burstal, with reference to the remaining steps at Swan Stairs, (which are useless, but which we left a great hindrance to the traffic for fear we might have another injunction) that the very parties who moved the Attorney General against us are petitioning the Conservancy Board to remove those stairs also, and when those stairs are removed the in-shore navigation will be perfect.

1317. What was the state of the embankments on the river when you entered upon your duties? —The state of the wharves on both sides of the river was very bad. There was no uniform or regular line. The first thing that struck every one was, the want of a uniform line. Wherever a recess occurred, it became a mudhole. If a single structure was thrown out, the mud lodged everywhere right and left of it; and it was evident that it was neceesary to do two things, one was, where it was possible, to fill up the hollows, and to get a uniform shore, even if you could not get to Walker's line; and the other was, where it was possible, to give the shore such a slope with gravel, that the steamboats might keep it clean and remove the mud; and although our engineer has rather led the Committee to believe, that that subject had not been very much gone into at the Board, I can only account for that by this fact, that he was only at our Board, when he was called upon to give us an opinion; but from the day that we began our work, one of the particular subjects of our discussions, and our object, when going on the river, has been the doing something to get an embankment of the shores. My own view had been very much directed towards it, by crossing Hungerford Bridge daily, and seeing the mud on both shores; and whenever we went on the banks of the river, that was always an object in view, and one that was discussed. We saw that it was hopeless to get persons to agree at once to come out to Walker's line; we had no power, nor had we any money to make an embankment, because the frontage of each man's wharf, though not his property, is for the purpose of carrying on his business; his right: and part of our work has been to assist and protect the frontage-holder in the access to his wharf. If we could get those persons to agree to any line that it was likely to bring them out to, we should, by degrees, fill up these gaps, and get a uniform line. The part of Hungerford Bridge which is shown in "red, on the north side," on this plan, which was part of a great scheme, although we were always anxious for it, and have encouraged it in every way we possibly could, yet that was one, which it was hopeless to expect the wharfingers to come out to. It so happens that from the Temple to the Houses of Parliament, there is less wharf property than there is anywhere else; and if we could get a few wharfingers to come out to that, it is evident that laying out quays, expecting persons to make them on each side, there would always have been the want of a general system of embankment; though we were actually about to put down gravel on the shores, at the time the embankment was taken up, which stopped us from doing so. But there being so few wharves there, it will enable a general system of embankment to be gone into, because the purchasing up the rights of the frontage of those wharfingers, would be within the range of a possible sum of money. But the moment you get below the Temple, so great is the evil of cutting off the wharf property, and so great the traffic, that to Blackfriar's Bridge, they were obliged to put it on piles, leaving the entire navigation to go through; and if you do that, you do away with any benefit as to the cleansing of the river shores.

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1318. Why?—Because the water would flow through to the foreshore, inside the place, just as much as it would in there; that is the reason the embankment was stopped there. When you go to the south shore, which has often been discussed by us

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us as a very important point, we felt it a hopeless case. We often spoke to persons about it, who had property there, and we found that it was hopeless to think of bringing out the wharfingers to any advanced line on the south side, for this reason, a different class of trade was carried on there. I mention these things to the Committee to show how thoroughly we have gone into these subjects. The trade I speak of is one that requires barges lying on the shore to a great extent, and large rafts of timber. It is more a trade of that sort, than a trade for discharging single vessels inside on to a wharf. My idea, in the first place, was, that the value of the increased wharf property in front might induce parties to come out; and I suggested to the Board, that we should ask Parliament, in the Bill we were going to bring in three years ago, that where we thought it desirable to encourage embankment and to get people to come out to a uniform line, we should have power to do it without their paying the assessment required by law; and although that assessment was small compared with the value, yet it would all help to get people to come out to that line. Then, again, by coming out uniformly, they save the lateral walls of each embankment; they only have to build the front wall. But when we came to go into it, it was found that the owners of these shores cared more for the accommodation of timber lying on the shore than anything else; that the foreshore between low-water mark and the wharf was more valuable to them to lay the barges and timber on than it would be for embankment. Therefore, we were sure there would be great opposition, on the part of the wharfingers in that particular part of the river, to any embankment which would deprive them of the foreshore; and that is the reason that we have had no general scheme for embanking that part. But when we were applied to by the India Government to be allowed to bring out an embankment a little way beyond, we struck a line, which we thought might be desirable, and which would leave a great deal of foreshore still to the parties, and bring them out a portion of the way; and we have allowed the India Government to come out a little way, to what we think might be a better line, to which others might come in time.

1319. Have your efforts succeeded to any considerable extent, in forming embankments at a uniform line along the fore shore?—I cannot say to any extent; but if the Committee will look at the plan, they will see how gradually we are, in some places, coming to a uniform line. I will mention one place, between London Bridge and Southwark Bridge; where it is now, Walker's line only cuts off a narrow part; we have adhered to that, to bring the wharfingers out to it. Since we have begun, we have brought out a great portion of the wharves to Walker's line: Humphrey's wharf, next London Bridge, has been taken as a guide, and the line has been carried above that to one or two other wharves. We have now succeeded, after some differences with the Admiralty in bringing out the embankment of the new railway bridge, that is to cross there, to what we believe will be Walker's line.

1320. Mr. Alderman *Salomons*.—Do you mean the South-Eastern Bridge?—Yes; in all our works we have had continually in view a good line to keep them to; a modified line, where we could not succeed in getting them to Walker's line, but a uniform line wherever we could possibly do it.

1321. *Chairman*.] What was the practice upon the river, when you entered upon your duties, of the gas companies and other manufacturers, as to throwing refuse matter into the Thames?—Next, perhaps to the navigation, the question of keeping the river pure, was the most important that we had to deal with, and the most difficult. We always felt that it was one for which we should be especially looked to by the public, and be held responsible for; more especially when the new drainage system came into operation, and when the sewage was cut off nothing then could come into the river but impurities of this kind from the banks, and then we knew we should be held solely responsible for the purity of the river. There is no doubt whatever that the sewage is a mere portion of the evil that gets into the Thames, not perhaps making the water look muddy, but making it dangerous and impure, and also killing the fish. The chemical and gas refuse is much worse than the sewage. When the flood took place which made the Thames so bad in the summer, about three years ago; it was caused by the two months dry weather, during which the sewage had accumulated to a very great extent in the sewers; then, an inch of rain fell in an hour, and washed out the whole collection of two months into the Thames. Of course, in that, there was was a great deal of chemical and gas refuse, which had been discharged surreptitiously into the sewers, and so found its way into the Thames. The result of that one flood was, to kill the whole of the fish between London Bridge and Battersea, and the next day they were all lying scattered over the river banks.

1322. Did you consider it one of your duties, as Conservators of the River, to maintain the purity of the water?—Certainly.

1323. And also to protect the fishing?—Not the fishing exactly, but to keep the river itself pure and healthy, if possible.

1324. Have you succeeded to any important degree in checking this practice of throwing refuse matter into the river?—Yes; I think we have. We began in the first instance by prosecuting the gas companies, and we had several convictions, but we found great difficulty in our powers, and that was one of the reasons why we came recently to Parliament at the time Parliament would not listen to us. We wanted more powers to keep the river clean; we found our powers were evaded, and the law was evaded in every kind of way. First, we had to contend with this difficulty: the barges are made with trapdoors, and all kinds of things, and come into the river loaded with all kinds of gas refuse, which they discharge through their bottoms. Barges were filled in this manner, and then sunk; there was every dodge of that kind resorted to. We succeeded in obtaining some convictions. Then at night the refuse would be discharged through pipes in the foreshore, and we have been obliged to have policemen and watchers placed, night after night, in order to detect that, and, singularly enough, though we have in some cases found a flow from the trap, night after night, of material which was declared by Dr. Letheby to be of the worst description, it always turned out to be some extraordinary thing on the premises of these companies; it was a cracked pipe somewhere which had let the liquid flow, or some peculiarity which invariably accounted for it. At last we were

were going to indict one of the gas companies at the sessions, and not trust any longer to a magistrate's power: we succeeded; the parties agreed to plead guilty and pay the expenses if we would not go on with the exposure. By these steps we succeeded in a great measure in cutting off this evil. But I should wish the Committee to hear from Dr. Letheby the really altered state of the river, and what he attributes it to. He has reported publicly to the City, or some parties, not to us, and in that report he distinctly refers to the gradual purification of the river through the exertions of the Conservators and their officers. But we had one great difficulty; we found that the gas refuse was discharged into the main sewers a little way above their connexion with the river, beyond the outlet. A stipendiary magistrate very properly, as we thought, at all events with common sense, decided that discharging into the sewer running into the river was discharging into the river, and convicted the parties; but when one of the important gas companies in the City was summoned for a similar thing, a City magistrate decided that discharging it into the sewer was not discharging it into the river, although it flowed into the river within a few hundred feet. Therefore, as the matter stands at present, we are not sure of a conviction under such circumstances; accordingly we wanted powers from Parliament.

1325. Mr. *Lindsay.*] What powers did you seek?—I will mention one still more important, to show why the powers we sought for were necessary. By the Act, we can go anywhere where the tide flows; we can follow the gas-pipe wherever it flows into a navigable creek, but we found it disputed whether we had any power over docks and canal companies, who opened into the Thames twice a day at high water, and from some of which filthy works of all kinds, gas and chemical refuse of every description flowed. These works have been established on the banks of a cutting or canal extending a mile or two from the Thames, therefore the canal is made the means for the conveyance of this filth, and twice a day it is discharged through gates into the river; but it does not communicate with the river, they say, and our power does not extend there; the consequence is we are completely beaten by these and canals. It was for that especially that we came to Parliament, to give us power over any creeks, docks, or canals communicating with the Thames by gates or dykes, for an extent, I think, of three miles from the Thames. I am sure it will be evident to the Committee that unless the Conservators have the power of dealing with these works which discharge directly into the Thames, they will be comparatively useless.

1326. Mr. *Longfield.*] I believe the only powers which you have are under Section 102, which is very limited. What is that provision?—It provides that "every person who shall unload, put or throw into any part of the River Thames, or upon any shore or ground beyond the high water mark of the River Thames, any rubbish, earth, ashes, dirt, mud, soil, or other matter, or allow any offensive matter to flow into the River Thames, shall forfeit for every such offence a sum not exceeding 20*l.*" The consequence was, unless we could get at these canal companies for letting their canals be made the receptacle for this refuse, and then discharging it through their gates, we were completely beaten, and it was not supposed we should be able to deal with them; we therefore wished to show, before a Committee of the House of Commons, the necessity that existed for further powers.

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1327. *Chairman.*] Was not the river in former times much injured by throwing rubbish into it?—Yes; and it is so still to a very great extent; and that is another point on which we touched in the powers which we wanted from Parliament. It is not only with respect to refuse thrown in or thrown on the fore shore which the tide would take away; we do not find that so much the case now, because we have convicted some parties; but the clearing of the mud out of the docks leads to an immense quantity of filth going into the river. One of the strongest opponents to our Board who has taken a lead in all the attacks upon the Board, has been a wharfinger, whose servants were detected in emptying a filthy hole into the Thames in the night. His servants were summoned, and although he employed counsel to defend them, we obtained a conviction against them, and from that time, of course, he has been a very strong opponent of the Conservancy Board. But we find the greatest difficulty of all that we have to contend with is these mud barges. A contractor agrees with Government to clear the mud out of a basin at Deptford, for instance, or he agrees with a dock company, or with some small dock on the banks of the river to clear out the mud from those docks; this mud is often, in the small docks particularly, pure sewage, for many of the sewers of London empty into these inlets; these contractors, one I have especially in my eye, rent certain grounds down the river upon which they land this refuse, and is bound by his contract to take the mud out of the dock and to land it at a certain place down the river, therefore he had facilities in the shape of planks and other things there for wheeling the mud out again, and making it into good soil; but of course the men he employed would take it at a good deal lower rate for clearing the barges, if they had a chance, in the night, of throwing the contents into the Thames, and getting rid of it in that way. It was no doubt a regular scheme between the contractor and his men to do this, for every bargeful that went on the shore, ten were sunk in the river. This kind of thing took place just above Woolwich, and I think the Superintendent of Woolwich Dockyard would tell you that he constantly had this filth coming down and blocking up the front of Woolwich Dockyard, because the barges would go just above there in the night, and, either on shore or in shallow water, pitch the whole of the mud into the river, and get over it in one-tenth of the time.

1328. You speak of this practice going on; why, empowered under the authority of that clause, have you not restrained it?—It will show the Committee what our difficulty is, we must catch the men who do this, and it is a very difficult thing to catch them and to keep them when caught; these men are a rough set of navvies who, on more than one occasion, ducked the policeman in the mud of the barge when he came to take them; they are a dangerous rough set, who it requires a whole crew of police to deal with, they were off to the shore in a minute, and if you did not catch the men you could do nothing, if you did catch a man he was perhaps fined 5*s.*, which has been a common thing with the magistrates; of course, the contractor or his men do not care for that, when they would save pounds by throwing

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throwing the mud into the river; the great difficulty, however, is to catch them at all, and we have no power over the barges; we wish to ask for power, where the thing is detected, to take the barge, and to come upon the owner of the barge, as well as upon the men; and the general rule we wished the sanction of Parliament to make was this, in the same way as a hackney coachman misbehaves himself, or is drunk, or causes an accident, the police have power to take the carriage to Scotland-yard, and power to get hold of the owner, we asked to have power, wherever the law was infringed by a barge or a crew, to take the barge, and so get at the owner through that. We tried a power, which I believe is given by bye-law, of requiring the barge to be registered, and so taking away a man's license for misconduct; but we have found that comparatively inoperative, and the Conservators wanted the direct power to take the barge as well as the men, so that if the men escaped they could take the barge. I believe the barge-owners, as a body, do not object to that. We had a deputation of barge-owners before us, and they said, "It may apply in this way, we may have a barge with valuable property on board, and the men may be breaking your bye-law; if you take the barge as well, the goods may be damaged or time lost. We quite agree in the principle, but we wish to have the barge delivered at our expense by your officers, so that no delay may occur, that they might be answerable for anything that occurred." We met them directly; and I do not think there would be any objection on the part of the barge-owners, who do not wish to throw mud into the river, to this power being given to us.

1329. You have spoken about the application to Parliament for extended powers; will you state what induced you to make that application?—It was on these particular points:—first, the filth going into the river from gas and chemical works, and other refuse; next, the mud barges; then, a third point, as to the fisheries, which I have not yet touched upon; there is a fourth point, also, which we wish more power upon, with reference to structures in the river for facilitating the clearing of colliers; but, perhaps, I had better not go into that point now.

1330. Mr. *Locke.*] There was the 24th clause, was there not, as to the remuneration of the Conservators?—I am only speaking now of what further powers we wanted, not of all the things we went to Parliament for. We asked them to give us more powers where the powers we had were found deficient in carrying out the objects we had in view.

1331. *Chairman.*] Will you state concisely your view upon the subject of the fisheries?—The fisheries were vested in the Lord Mayor, as Conservator of the Thames; he had power to make Bye-laws for its regulation. A clause in our Act transferred the whole power of the Lord Mayor over the fisheries to the Conservancy Board; and no one had the slightest idea for years, that that did not carry with it the power to make bye-laws for its regulation. Indeed, we did make bye-laws; and we worked very much with the assistance and approval of the Thames Angling Preservation Society, who had the fisheries of the river very much at heart, in doing things to improve it; with their concurrence, we made bye-laws, amongst other things, to do away with all netting in the Thames. We found the illegal netting so difficult to stop, that we were advised to do away with all netting on this ground, that scarcely any man of character earned his livelihood by netting, while the great thing was not to injure the fishermen, who made their living by supplying boats for angling; therefore, with the exception of poachers, the whole of the watermen, and fishermen, and the Thames Angling Society were in favour of our doing away with all netting. We passed a bye-law for that purpose; the result has been, that the fishing has increased greatly in the last five or six years, as probably the Secretary of the Thames Angling Society will be able to tell you; every one was satisfied. Several convictions took place; and the whole thing was put a stop to under the bye-law made by us; but, shortly after we did this, a question arose about the shrimps in the river Lea, near the lower end of our jurisdiction. It was made matter of complaint to us, that the shrimp-fishery was being injured by taking the young brood; that was a matter that rested clearly with us, and we were applied to, to put a stop to it, and so prevent the destruction of the shrimp-fishery.

1332. But your bye-law had been sanctioned by one of the learned Judges, had it not?—Yes; but I was going to explain to the Committee the difficulty we had in one of these cases; the magistrate decided against us, and that was the end of this bye-law, which had worked very beneficially, so much so, I believe, that the price of shrimps had reduced one-half in the London market. After it had been enforced some time, we applied to the Court of Queen's Bench, I think; and although the decision in that one case was in our favour, yet the Judges expressed some doubt whether we had legally power to make bye-laws, because the Lord Mayor had power to make bye-laws, under an Act of George 2d, I think, separately from the power which gave him control over the fisheries, and the learned Judge did not think our Act had transferred the power in both cases to us; and therefore it was a question whether our bye-laws were not in fact waste paper. Although there had been many convictions under them, we immediately heard that some of the poachers whom we had stopped netting, would be likely to set us at defiance, and try the question afresh, by putting the nets in, and standing on the illegality of our bye-law. It therefore became very important to get from Parliament at once, the power to make those bye-laws, which they supposed they had given us in the Act.

1333. Was that one of the provisions of the Bill which you caused to be introduced?—It was.

1334. What became of that Bill?—Parliament would not listen to us; it was thrown out, they refused us leave to go before a Committee, even on the first reading; those gentlemen who were so annoyed at our taking away the use of the public stairs for their boats, fining their men, and so on, got up an agitation amongst the City and local members, and managed to get such an opposition in Parliament against us, that the House would not listen to us.

1335. Mr. Alderman *Salomons.*] The Bill was thrown out on the second reading, I believe?—It was, before going to a Committee up stairs, or whatever the proceding is.

1336. Mr. *Locke.*] There was no division?—There was no division.

1337. You did not take the sense of the House?—It

—It was taken in this way: the question was put aye or no, to the whole House, and as two voices were heard for, and the general shout said no, it was impossible to have a division.

1338. *Chairman.*] How do you explain the singular unpopularity, I will not say of the Conservancy Board, but of their Bill?—I think it was entirely this: a few individuals, particularly if they are connected with other influential persons, can very easily get up an agitation, while the mass, however favourable to a Board of the kind, will not work and get up any agitation on the other side to favour it. The consequence was, that these few individuals, with such an important body as the Fishmongers' Company and others to back them, were able to get up a meeting, which a good many persons attended; and I have no doubt if all who thought differently from them could have come there, they would have filled a hall ten times as big. However, such persons will not move while those who feel the shoe pinch by our benefiting the public at their expense are able to get up an agitation; we know how easy it is, for a few persons can threaten or work upon a Member of a borough, and so get him to take up their case. I may mention one thing, although we were only told it privately, which shews that our view was a right one: a partner of one of the leading persons who got up this agitation, gave as a reason to a gentleman, why he would have nothing to do with it, because it was nothing more than trying to get individual private interests served at the expense of the public.

1339. Have you any objection to state under what circumstances you withdrew from the Conservancy Board?—No, not the slightest; I had been there from the first, and had taken great interest in the work, though at great personal inconvenience from my other duties, which at one time nearly obliged me to give it up; but I had gone on taking more and more interest in it up to the time that the Bill came before Parliament. We had a strong feeling at our Board, very plainly expressed, that as we were working under the direct authority of Parliament, that we had to look to Parliament for the protection we required, and the extra authority we required. We thought as a matter of course, when we explained this before a Committee of the House, that we should be listened to, and that at least such powers as they thought, when they heard both sides, were necessary, they would give us; but when I found, and I was present myself in the House of Commons, that they refused even to listen to us, or to give us the slightest support, as I really conscientiously felt, at the instance of a few men who had been enemies of our Board, because we did our duty to the public, and who had left no stone unturned to raise a false impression against our Board; and when Parliament listened to them and would not give us a hearing, I refused to work another day at the Board, because we had been there working for six years without a farthing of pay, and without any advantage of any kind; and I, for one, could not go on working without proper support, and I refused to work at the Board any more.

1340. Did your Bill contain any provision for adjusting the conflicting jurisdiction of the Conservancy Board, the Trinity House, and the Watermen's Company?—No; those are two distinct questions, and before going to that point, there is one thing I should like to mention, which has been objected to, with respect to us, and which, I think, had something to do with the opposition. There is one very important point in connexion with keeping the river clear, the traffic in coals to London has gone very much recently into screw colliers, which bring up large quantities of coal at once, of course much larger than in the old colliers, and to a certain extent, they obstruct the river. Many go to wharfs and docks, and at one dock there are facilities for clearing them by machinery, as they load them by machinery in the north; but parties asked us to grant them permission to put stages in a line with the tiers of the colliers in the Pool, with machinery upon them, which would enable these screw colliers to go alongside them and be cleared by machinery very rapidly, by which means they would get away again in a few hours from the Thames, instead of lying there for days; we felt it would be very desirable to try whether the trade could not be benefited in the Thames by some mode of that kind, but our Act gave us no power to do so. We felt at once that it would not do to give any individual, for his own vessels only, such a facility without others could have the same, because that would be an unfair preference, and unless we could ensure the public having a right to it we could not do it, and we could not do it ourselves to give the public a right; that was therefore one of the questions, though one we felt very much less anxious about than the others.

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1341. You thought it desirable that you should be vested with such powers?—Yes, we had at the time an experiment going on in this way, a person made application to us to let him try the experiment by using the old floating derrick.

1342. What is a derrick?—It is a large floating vessel that was made by a Company with the idea of raising sunken vessels, as used in America; a great expense was incurred upon it, and it was found that the rise and fall of the tide gave greater facilities for raising vessels than the Derrick, which was entirely useless lying in the Thames; a person who had a great number of these screw colliers, and who was in the habit of clearing them in the Dock, wished to try the experiment of mooring this in the Thames, and erecting steam machinery upon it, to clear his screw colliers.

1343. That would be something like the stage you speak of, would it not?—Yes, a floating instead of a fixed stage. After a great deal of difficulty, for we did not at first entertain it, we at last agreed that he should make the experiment, but we strictly tied him down to this, that he should give no preference, and that the public generally should have the right of coming there to be cleared so that it was not a thing that any one individual could feel jealous of if it was for the public use.

1344. Was that plan adopted?—It was; but, in adopting it, it was evident that some of the traffic might be taken from the dock into which these colliers had previously gone to be cleared, then the barges had floated from the dock through the whole navigation, all tending to block it up; whereas, by this plan, we made it a condition that all the barges to and from it should be towed by steam, which would very much lessen the obstruction in the river; it was thought we were improving the navigation of the river, from what it was when the barges came out of the dock; by doing this, we might perhaps have reduced some of the custom of the Dock Companies in clearing the colliers in their docks, and, consequently,

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sequently, one of the principal opponents of the Board before Parliament has been a party interested in the Dock Companies.

1345. Mr. *Cave.*] What dock are you speaking of?—The Victoria Dock; so that, again, at the bottom of this, there has been indirectly some local or personal interest.

1346. Mr. *Lindsay.*] Then, it appears by your evidence, which is very strong on that point, that a few interested parties exercised so great an influence upon Parliament that Parliament would not even listen to the Bill. Do I understand that that is the meaning of your evidence?—I believe that a few interested individuals, using their influence among their friends and others, were able to bring such influence to bear upon certain persons in Parliament, while we had no one to represent us; we had no influence of the kind; we did not attempt it; we did not work, but the representation of these parties added to another question which I have not attempted to go into, which some parties may have felt aggrieved at, namely, the constitution of the Board, although that is a totally separate question to the one I alluded to, yet those two added together brought a certain amount of influence to bear in Parliament that no corresponding agitation or working on our part had been made to meet, or could have been. Consequently that feeling together was too strong for us; but the two causes are so distinct that, while we had only to work as Parliament constituted us, and to do our duty in carrying out that work, whether the Board was constituted or not in the best way at that time, surely was not a reason for refusing us a hearing.

1347. Is it the case that the Conservancy Board is an irresponsible Board?—We certainly have felt ourselves always directly responsible to Parliament, and to no one else.

1348. To Parliament only?—To Parliament only.

1349. Then, by this Bill, which was thrown out in the summary manner you have described, did you seek as a Board for greater powers than these which you then possessed?—An extension of our powers, the same powers extended in a further degree, but not new powers of any importance.

1350. But for greater powers?—For greater powers to enable us to do work which we believed the Bill intended us to do, but with reference to which our powers were deficient.

1351. Then, in your opinion, might not that desire to have greater powers vested in an irresponsible Board have something to do with the opinion, and the very decided opinion, which Parliament expressed when the Bill was brought under its notice?—I did not suppose so, because I thought, in a Board directly responsible to Parliament, you have as direct a responsibility as you can have; I do not think that any responsibility to any other body between it and Parliament could increase its responsibility to Parliament.

1352. But practically a Board responsible to Parliament only. Is that any responsibility at all? Has a person who has a cause of grievance against that Board any redress except through Parliament?—And the courts of law, if we had acted illegally in any way.

1353. Then if one of the public, for instance, feels that the Board has dealt harshly or unjustly towards him, he would have no redress except through a court of law, or by an appeal to Parliament?—Certainly.

1354. Mr. *Hodgson.*] Was one of the provisions of the Bill to enable the Conservancy Board to pay itself?—It was.

1355. Mr. *Locke.*] Was that in the Bill?—Yes.

1356. Mr. *Hodgson.*] Do you think that prejudiced Parliament against you?—I should think not, at least so far as this, that I did suppose Parliament would have given us a hearing as to why we wanted this, and then not give us what they thought fit; but I could not suppose that a body acting directly under Parliament would have been altogether refused a hearing.

1357. Sir *John Hanmer.*] Who brought in your Bill?—Mr. Norris was one member. I do not recollect the other.

1358. Mr. Alderman *Salomons.*] You would not appear so helpless as to be quite an object of sympathy. Are there not a great number of Government representatives on the Board?—Three.

1359. Did not you represent the Board of Trade?—I did. I was a nominee of the Board of Trade, but the Board of Trade had nothing more to do with me, neither did I consider myself responsible to the Board of Trade for any one opinion that I gave there. When I was once upon that Board I was a Conservator, and if there had been any opposition to what I thought right on the part of the Board of Trade, I should have stood my ground as strongly against them as any one else.

1360. Were you present in the House when the discussion took place?—I was.

1361. Was not one of the objections taken before the House that a Bill of this kind, of great importance, and asking for such large powers, should rather be treated as a public than a private one?—It was; but we had tried on one occasion to bring in a Bill on a subject which we felt specially interested in, and that was to remove Putney Bridge, which bridge was a really serious obstruction to the river. It ought to have been indicted or removed by Government long ago; and we came to Parliament to try to get that bridge removed. The Bill was thrown out. We were defeated, I think, on the Standing Orders Committee, on the ground that as we were constituted by a private Act, we had no right to bring a public Bill into Parliament, and that we could only come before Parliament with a Private Bill; therefore that quite explains why we came with a Private Bill.

1362. Are you not under a mistake with regard to any power being asked for under this Bill, with a view to a stage to unload colliers?—If it was not so, it was taken out unknown to me. My impression was that there was power asked for to facilitate the clearing of colliers, or to do something with that end in view.

1363. Mr. *Longfield.*] Was it to erect cranes?—That was it.

1364. Mr. *Alderman Salomons.*] Was there not an objection also taken that this Bill, instead of being a Bill to look after the navigation, was a Bill that asked for power over all boats on the river that sold anything to any ship on the river?—You mean bumboats; I will explain that. I believe there is not one provision in that Bill for which we could have more fairly gone before a Committee of the House of Commons, and asked for power. The grounds for it were, that we had had serious complaints made to us, that the

the ships which came from abroad, and particularly the larger class of merchant ships, anchor at Gravesend; that is beyond the limits of the metropolitan police; I think they only go to Erith. There had been serious complaints of the way in which those vessels were boarded at Gravesend by watermen's boats, under the pretence of being bumboats, and not only were the men made drunk by vile spirits brought on board the ships, but ships' stores were robbed to exchange for spirits, and an illegal traffic was carried on to the prejudice of the owner of the vessel and the state of the seamen. The crimping and drinking traffic was carried on to such an extent alongside these vessels, as to be most dangerous and injurious. There was no power of getting at it in any way: the police of the Thames did not extend so low, and we wanted power to prevent these persons getting alongside the vessels without the consent of the master or officers, and to punish them if they introduced spirits surreptitiously into the ship, or in any way aided the persons in getting stores from the ship.

1365. Will you allow me to read you this passage from the Bill, as to the word "bumboat." "The word bumboat shall mean any sailing-boat, row-boat, wherry, or any other like craft, or any other vessel whatever, kept, used, or employed for the purpose of buying from, selling to, or exchanging or bartering with, the seamen or other persons employed on or about the River Thames, provisions, liquors, slops, or any other goods or articles whatsoever;" is that so?—Decidedly, we wanted so to regulate that traffic; that if it was abused to the sale of spirits, and to the injury of the vessel and the owner, or to the robbery of the vessel, which often occurred, we should have power so to regulate it as to prevent such illegal proceedings.

1366. Would not that be effected by saying in so many words, "the sale of spirits," which nobody would object to; but persons could not come with vegetables, or fish, or anything else, without asking the liberty of the Conservators; was that not so?—I believe that those powers were necessary to enable us to act at Gravesend or elsewhere, to aid the owners and officers of ships in preventing these things going on.

1367. Mr. *Lindsay.*] And to have the control, not merely of drunkenness, but fraud and robbery?—Yes.

1368. Do you consider that such a clause as that would have been for the public good?—Certainly. I think it would be wrong to leave the river, within our jurisdiction, in such a state that in any part of it this kind of thing might go on without the power of checking it.

1369. Mr. *Locke.*] Is there any authority over these boats?—Not at Gravesend.

1370. *Chairman.*] Do you consider it desirable, in any future legislation on this subject, that the powers of ballastage now vested in the Trinity House, and the power of regulating the navigation of the boats belonging to the Watermen's Company, should be all concentrated in the Conservancy Board?—Yes, I do. I think it is absolutely necessary, if the river is to be dredged sufficiently and cheaply, that the powers of ballastage and dredging should be retained in one hand. There are other anomalies connected with the ballasting which, perhaps, would prevent the Conservancy Board having the power of the Trinity House, because it is hardly likely, I think, that any Board would again have such a monopoly of ballast as is the case at present, and that will lead at first to a great deal of difficulty in making a change. Then with respect to the Watermen's Company, I think there is nothing more anomalous than the law at present, by which the Watermen's Company have certain powers on the Thames. It will scarcely bear investigation, and I think would hardly, if known, have been permitted to last as long as it has. I believe it is the only case in the United Kingdom in which any power or authority is allowed to control the navigation of a river in such a way, and under such a monopoly as they have at present.

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1371. Do you think it affects the commerce of the river injuriously?—I think it does; and I think every barge-owner on the river has a right to complain of it.

1372. Do you know anything similar to the powers possessed by the Watermen's Company in the Thames elsewhere?—No, nothing.

1373. Sir *John Hanmer.*] Are they very ancient powers?—Yes. I believe the real ground upon which certain privileges were given to the Watermen's Company was, that they were at all times, in case of war, to provide a certain numbre of men for the use of the navy.

1374. *Chairman.*] That is repealed now, is it not?—It was not at the time of the Russian war, because when the Admiralty applied to the Watermen's Company for its quota of men, they positively refused, and disputed technically, I believe, their right to find them, and the Admiralty could not get a man from them.

1375. Do your Conservators exercise any police jurisdiction over the river?—Yes; to this extent:—They have, on the upper part of the river, river-keepers, who act as police, watching against any injury to the fisheries, and, at the same time, watch the banks within their jurisdiction for any pipes that may be put in, or any offensive matter thrown in; they also watch to see that the towing-paths are not blocked, or any infringements of the jurisdiction. Below bridge, we, last year, appointed two men purposely to watch the barges, to endeavour to stop the filth going into the river by their means. They devote themselves entirely to finding out where the mud is going to be discharged, and with the aid of the river police to endeavour to put a stop to it.

1376. Who are the river police?—A branch of the metropolitan police confined exclusively to the river. They work very cordially with us; and, in fact, it is through them that we have been able, in a great measure, to detect the filth running into the river, by means of the pipes used for discharging gas refuse and all that sort of thing. We have made it their interest to do this, by giving them a reward upon every conviction through their information; and sometimes they watch these pipes that I have spoken of, for nights together, I believe.

1377. That is an authority specially provided for by the Metropolitan Police Act, I think?—It is.

Veneris, 8° *die Maii*, 1863.

MEMBERS PRESENT:

Mr. Blackburn.	Mr. Locke.
Mr. Cave.	Mr. Longfield.
Mr. William Cubitt.	Mr. Alderman Salomons.
Sir John Hanmer.	Mr. Shafto.
Mr. Richard Hodgson.	Mr. Somes.
Mr. Hutt.	Mr. Western Wood.
Mr. Lindsay.	Mr. Joseph Ewart.

THE RIGHT HON. W. HUTT, IN THE CHAIR.

Captain BARTHOLOMEW JAMES SULIVAN, called in; and further Examined.

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1378. *Chairman.*] I WISH to learn from you some of the principles which have been laid down by scientific men, and accepted by those who have paid attention to the study of navigable rivers, with regard to their management and improvement; I understand that it is considered advisable, in the management of a great commercial river, that the river should be confined as much as possible within its banks, and that those banks should form a uniform line, diverging from each other as they approach the mouth of the river; is that so?—Certainly; and if possible to avoid anything that would contract it in one place, so as to throttle it, as it were, so that where wider spaces exist above narrow ones, it is very desirable to contract the upper spaces as near as possible to the width of those below; unless the contraction below can be removed, so as to widen it there. There is a spot in London where that would have been desirable. It is this spot marked on the chart (*pointing it out*). The river contracts from London Bridge to just above Southwark Bridge; so much that if it were possible to widen the river there a little, at the same time it was narrowed above, it would be a great advantage.

1379. Would that be in conformity with the principle which you have just admitted to be the proper one, for the management of a river?—Yes; and that has been done by us; but to cut away the point would require such an enormous outlay, in the purchase of the valuable property existing on the bank, that it would be really out of the question. In a place lower down the river, where there is a small projecting point, and a sharp corner, and a line of embankment there, something like I have shown on this plan, we did cut off a small bit, and pay for it, for the sake of improving the river, and making a better line than we could have done, in any other way. But that could only be done on a very small scale, with any means that we had, and where the property was not very valuable.

1380. Then, I understand the Board of Conservancy have acted upon the principle you have described?—Yes; we have endeavoured, whenever it was possible within our means, to do it in every case.

1381. The natural course of the river, I understand, was to be followed as much as possible, consistently with removing abutments and irregularities, and causing the river to enlarge as it approaches its mouth?—Yes; that would be most desirable, where it could be done.

1382. And that is to be promoted by embankment, and other artificial means, as far as possible?—As far as is practicable; and it is only in a great case, where Parliament has taken it up, such as that, that any large scheme of that kind can be carried out, except by the mode that we have adopted, of encouraging the wharfingers themselves, and the owners of the frontages to come as much as possible to a uniform line.

1383. So much then for the banks of the river; now, with respect to the bed and channel of the river, I understand that it is considered desirable that the bed of the river should form a curved line, the deepest part of which should be in the centre, is that so?—If you could insure keeping it there, certainly; nothing would be so good as having your channel in the centre, shoaling to both banks, but you will never entirely keep a channel there. The tendency of the stream in all rivers is, when it leaves a point, to cross over to the opposite point, and to take the concave side of the stream, and you could not alter it, if you were to attempt it. I believe you would only have constant expense and constant work. For instance, when this embankment is made, the tendency will be, I think, to have the deepest channel towards the Middlesex shore, the concave side of the river, and it will always tend to shoal on the opposite of the river, and you see an instance of it in the great shoal on the convex side off the Surrey shore.

1384. It is always a desideratum, I understand, to maintain a uniform course in the river, to avoid any shifting of the channel?—If possible, certainly. With reference to the last question, following the course of the river, where the river takes very short but extensive bends some way round, and comes back nearly to the same point, there is no doubt that if you could do it without interfering with the immense property that is now upon the banks, you would improve the navigation of the river, by cutting through such points as that, and straightening the channel. For instance, at the Isle of Dogs, and that sweep round at Greenwich, if you could turn the channel of the river into the West India Docks, and cut it straight through, which never, of course, could be done, upon that large scale, you would improve the channel of the river, by making it more direct,

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but that could only be done where the property is of very little value, and on a small scale. There are now two or three schemes before Parliament this Session for improving the channels of navigable rivers in that very way.

1385. Will you describe to the Committee what the Conservancy Board has done in the way of following out the system of removing the irregularities of the Thames?—I think, with respect to the shores, I explained it rather fully on Monday, but this chart illustrates it; that is, that wherever an embankment is asked for on any portion of the Thames, we have at once gone into plans of that portion of the Thames; we have generally visited it; besides we have on the map laid down what we believed to be the best curved line for the river bank in that neighbourhood. When I say the best, I mean the best that we were likely to get the proprietors to come to. If it was a very expensive and large projection, there was no chance of their doing it. We have, therefore, in many cases carried it rather within Walker's line if we thought the line would be an improvement, and one we would be likely to get the proprietors to come out to; then having for one single embankment decided on a curve for all that part of the river, we have tried to get others to the same line. When any application has been made, we have made it conditional, in fact, that others should come out to that same line, and so by degrees we have hoped, in the course of years, that these gaps and hollows would be filled up, and the wharves brought to a regular and uniform line.

1386. What have you done towards forming the bed of the river, such as was described in a previous question?—We carried on at first a large amount of dredging below Teddington Lock, where it was necessary, through the silting up of the upper part of the river; we there made a channel of a certain depth, right up to the lock; we have dredged away all the worst shoals below bridge, and we have, with the dredgers that we license, kept a working channel in the river, above bridge, as much as possible.

1387. We will confine our attention for the present to the part of the river below bridge?—We have there taken away all the worst detached shoals, in midchannel, and we have cut off the parts projecting into the channel of the worst shoals extending from the shore, of which Limehouse shoal, and that large one I alluded to in my former evidence, abreast of Woolwich dockyard, are instances. Then in one case where there was a kind of bar or flat, in which I think there was only eight or nine feet of water all over it, from shore to shore, and where vessels of a certain draft were detained always at a certain time of tide, or run ashore and waited till the tide took them off, we have taken it down to a uniform depth, I think of 14 feet; there are certain depths beyond which it would not be well to go, because, if we were to dredge at all below the ordinary depth of the river, above that, it would be no advantage to vessels; therefore, we have endeavoured to carry this uniform depth everywhere.

1388. Do you consider the work of deepening the water below bridge to be completed?—There are shoals now in course of removal, and others not so bad as those reached, that it is desirable to increase the depth of, and I have no doubt there is as much dredging to do below bridge, before we should be satisfied that the channel is what it ought to be, as we have done in the last five years; I might add that the Trinity House in many cases have aided us, where the material did for gravel, by placing their dredgers upon shoals, to assist us in carrying out this desirable deepening.

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1389. The Trinity House, I suppose, merely dredged these shoals, of which the material was useful for ballast?—Only.

1390. Their object was to get ballast as cheaply as possible, consistently with removing the shoal?—Yes.

1391. We have it in evidence, that the Thames at low water has not more than nine feet of water at London Bridge?—That is at one part of the bridge.

1392. What part?—That is at the bridge, immediately below it, where the large vessels come up, there is deeper water close up to the bridge on the City side, where the steamers lie, some of them, which I should say certainly draw 14 or 15 feet, can lie afloat every tide.

1393. At low water?—At low water.

1394. Where?—Close to the City wharf, below London Bridge, the steamers I alluded to as being crossed always by the Greenwich passengers on landing.

1395. What is the nature of the obstruction to the river by London Bridge where the water is so low?—The natural bottom of the river, it shallows immediately above the bridge quickly, and immediately below the bridge on one side there is a very bad flat, so that no vessels can get near the wharf except at high water; on the south side this flat, I think, in a great measure takes the position of the old piers of London Bridge, it is too hard to meddle with, it would be very expensive work to get rid of it, and there might be a question if it was taken away to any depth whether it might not risk the piers of London Bridge, but it appears to have remained in that state from the time the bridge was built; it is a very large flat.

1396. Surely it must be attended with very great inconvenience to the navigation of the river?—Vessels can only get into the wharves on that shore at or near high water for a short distance below London Bridge.

1397. Have the conservators not taken any measures for the removal of shoals so inconvenient as that?—It is very doubtful whether it would be desirable there by the first pier of London Bridge, it is the pier that has settled a little, the first pier from the Surrey side; it is quite an engineering question, it is one that does not press, it leaves the channel outside it free for all vessels, and therefore we have not gone into the point. I may say, that even cutting two feet, though we piled it up with sheet piling, even taking two feet of the bank away for a few feet in extent where we put a pier, is one of the injuries we are accused of doing, and endangering the bridge in putting up the pier; therefore, if we had attempted to touch any more of that there would have been objections, with or without reason, that the conservators were weakening London Bridge.

1398. Is the navigation in the neighbourhood of London Bridge not impeded in any other place by the remains of the old structure?—I think not. This flat which I allude to, which deepens off gradually towards the deeper water, we found the other day to have a few loose stones upon it, when the steamer's wreck took place; some of those old stones of London Bridge, or some that had been thrown in during the building.

1399. But the Conservancy Board do not consider that it offers any practical obstruction to the navigation of the river, do they?—No, because all the steamboats that come above London Bridge have

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have such a little draught of water that there is no question about there being water for them, but that vessel was a little out of her course at that time of tide, and went on the flat; if she had been a little to the right she would have found plenty of water up to the bridge.

1400. Going a little further down the river, about 200 or 300 feet below the bridge, the river becomes very shallow, does it not?—The vessels lay afloat, I think, everywhere below London Bridge. I have no knowledge of one grounding; there is that flat that I allude to which extends some little way down London Bridge, and joins the south shore, but at the tiers which are principally the larger tiers there on the north shore of the river, the vessels, I believe, lay afloat from London Bridge downwards since the dredging we have done.

1401. The Conservancy Board do not contemplate any dredging in the immediate neighbourhood of London Bridge, do they?—Above, probably.

1402. Not below?—No; up to the time I left them there had not been a question of dredging below London Bridge.

1403. Do you consider upon the whole that the funds at your disposal have been judiciously and economically disbursed?—I think so; I can say most decidedly that every item of expense has been discussed as carefully, and gone into as fully as if the money had been the property of the individual members.

1404. The conservators have a steamboat, have they not?—Yes.

1405. Do you consider that steamboat necessary for the due performance of their duties?—Yes; when we took the work upon us we found that there were no less than six harbour masters, or rather five with one vacancy, one having been superannuated; we found that they had no means except by boats of going up and down the river; in fact, some of them were little more than clerks in an office taking the coal tickets and passing them on, which might have been done by a clerk or a waterman; we saw that the whole management of the river below wanted a thorough revision; we saw also that there were more persons than were necessary employed, and we determined at once not to fill up that one vacancy, but to lessen the number of persons employed as we could, and at the same time to make them more efficient by giving them better means of attending to the work on the river; it was evident that one of the things necessary for that purpose, and for the better arrangement of the colliery trade, was a steam vessel, and we immediately took steps to have one built, and it has been found to work very well indeed; the central harbour master has now a steamboat at his disposal, and the orders are now given more readily and easily, and with greater convenience to the colliers by those means, and I believe that the whole of the changes in the management of the coal trade that we have introduced have met with the thorough approval of those persons who are interested in the trade.

1406. Is the steamboat in constant use?—Yes, almost always, I believe; that is, she is always ready for work, and she goes down frequently through the districts with any orders, and she is at the disposal of the lower harbour master if anything is required down there. I may add that since that, we have reduced a second harbour master; we found with the aid of the steamer we could dispense with that; feeling we could reduce the expense of working by aid of a steamer, induced us to build her and make it more efficient; we have now only four harbour masters, which saves 700*l.* a year, more than the cost of working the steamer, probably; and it was even a question with me whether when another goes, we cannot do with three. I believe the work could be done with three, but we had no power at first to remove them; we had to wait till vacancies occurred.

1407. Then, in fact, you have considerably reduced the staff of officers, and you believe the work has been more efficiently performed?—I do.

1408. And that the steamboat has conduced to that economy?—I think so, most decidedly.

1409. Have your funds been at all wasted in legal charges?—Certainly they have been wasted in one case, because in the two cases where we felt it absolutely necessary to protect the public rights, as we believed, we were put to very great expenses by suits against us, which we could not do otherwise than defend; and in one case only did the parties who proceeded against us have the costs charged to them. In the very expensive case of the north side of London Bridge, in which four parties all proceeded against us together, and put us to the expense of four suits, each party was left to pay their own expenses, although the decision was most decidedly in our favour; and therefore I suppose at least 1,000*l.*, I do not yet know what the bill will be, but I should think at least 1,000*l.* of the public money has been wasted through the opposition to our putting up these piers for the benefit of the public.

1410. Have you instituted many suits yourselves?—Our suits have been nearly all prosecutions before magistrates for infringements of bye-laws, which have been trifling in expense, but without which we could not have carried out the law, particularly at first when it was necessary to establish the new state of things.

1411. You are, I presume, well advised; who is your solicitor?—I think we have one of the first firms in London, Messrs. Freer.

1412. And the charges are not exorbitant?—No, I fancy not. We thought our charges were rather heavy at first, and for some time after we commenced, the City Remembrancer was our legal adviser, I think for two years, but the charges were so heavy that we made a change.

1413. You made a change in consequence of finding the charges beyond what you thought right; is that so?—As far as I recollect. I think that was the reason we made the change; we found the charges so heavy.

1414. Mr. *Lindsay.*] Did you not spend in 1860, 2,400*l.* in law expenses?—I could not recollect without reference to our books.

1415. Do you recollect the largest sum which you have spent in one year for legal expenses?—No, I do not. I may say our principal expenses have been in some cases Parliamentary. On one occasion we tried to do positive good to the public by getting Putney Bridge removed, which we felt to be a positive disgrace to the river, but after all the expense of coming before Parliament, our Bill was thrown out, on the Standing Orders, I believe.

1416. Sir *John Hanmer.*] You do not object to a bridge there, I suppose, only to the bridge itself?—To the bridge itself, we were very anxious to have the bridge either improved or removed, because it was very dangerous to the navigation.

1417. Mr. *Longfield.*] In all the expensive litigations, I understand you to say the Conservancy

vancy Board were not the moving parties, but the defendants?—I do not know what the expenses in 1860 exactly were for, but in the case I allude to, we were the defendants, and we have been defendants in two or three cases; we have also been once or twice to Parliament, I think, to oppose measures there, at some expense.

1418. *Chairman.*] Are the funds of the Board increasing with the increasing trade of the river?—Yes, they have increased; even the upper dues, which were previously falling off.

1419. But below bridge?—Below bridge they have steadily increased to a small extent.

1420. Do you contemplate any diminution in the annual expenses?—When the first large outlays for dredging and piers are over, the annual expenses ought to be considerably reduced, I think. There is a question—I do not know whether this is the right time to go into it, in connection with the money, because that has been one thing which has been objected to, the expense of erecting these piers; that was very seriously thought of by us. There is no doubt that when Parliament gave us the power to make the piers for the public accommodation, it must have anticipated that it would be attended with expenses, for they actually put into the Bill,—with which, of course, none of those who have worked the Conservancy Board had the slightest thing to do,—powers to borrow 100,000*l.*; therefore, they must have anticipated that unusual expenses would be needed at first.

1421. Did you avail yourselves of that clause in the Act of Parliament which enabled you to borrow money?—No; because having this sum for which we were receiving only three per cent., we, of course, thought it better to take what we could from that; and that bears directly upon the question which I should wish an opportunity of explaining to the Committee with respect to the bonds.

1422. Mr. *Lindsay.*] Is your scale of charges the same now as it was previous to 1857?—Yes; we have never altered them.

1423. *Chairman.*] Do you know what the rate is?—I think it is a halfpenny for coasters, and three farthings for over-sea vessels; I am speaking from recollection.

1424. Per ton?—Yes.

1425. Are the lighters and other small craft increasing largely on the river?—Yes; there is an increased trade, decidedly, so I should think, and that is one of the difficulties we have had, and one of the reasons why we have made some of the changes in the river, such as sanctioning the trial of clearing colliers; that has been to endeavour, if possible, to reduce the number of lighters drifting about the river, and to reduce as much as possible the amount of coal brought up to the Pool to discharge, the Pool being the most crowded part of the river, and the one where all the difficulty in the navigation exists as to the crowded state of the river.

1426. What width of waterway do you consider it expedient to maintain in the Pool?—I think 300 feet is about the waterway now, but certainly the waterway at present is too narrow for the amount of traffic, if it were possible to widen it; but with the amount of colliers that must be moored in those tiers it is very difficult, the present waterway can be maintained.

1427. Mr. *Locke.*] How many moorings are there for a tier?—There are bow and stern moorings.

1428. For each collier, do you mean?—No, the cluster of colliers come to one mooring, with bridles.

1429. Then are the moorings for the two outside ones only?—The mooring is in the middle, I think, with the colliers on both sides.

1430. Then the colliers are fastened the one to the other, are they?—No; each one has the chain fast to the moorings; each one is separately fast to the moorings.

1431. And not one fastened to the other?—Not unless they choose themselves to make fast to prevent any working; they do not depend upon any fastening to each other.

1432. But they must be close up against each other, must they not, or else they could not hold?—Yes, quite close.

1433. *Chairman.*] But is the regulation of the conservators to keep, as well as possible, 300 feet of waterway in the Pool?—Yes.

1434. Does that suffice for the navigation of the river?—It does, and I think we have had no accident in the Pool that I recollect; when you go through and see the steamers coming up and going down, and the barges very deeply laden passing, no one can pass through it without being anxious, seeing how narrow it is for such a large traffic; therefore, every collier in number that you can reduce permanently, improves the navigation of the river in that most dangerous part.

1435. As a professional man, do you consider that the facilities of navigation in the river have been very much improved in the course of the last five years?—I think that colliers principally have had greater facilities for lying in the river; and moored, instead of trusting to their own anchors, which is a great improvement, we have also in a part of the river that is very bad in some respects for its trade, just below Gravesend, established a rule which is working very well; we have put up both day marks and a light by night, dividing the river into two parts; we make all the vessels anchor on one side of the mark, and so leave the other for the traffic; that has worked very well, and has removed all difficulty in that part of the river; and generally, I think the navigation has been improved in every respect; but of course pilots and others who may be considered more disinterested parties upon that point than I am, can give their opinion more satisfactorily.

1436. What is the condition of the River Thames in that part, which is called above bridge, by which I suppose you understand that part of the river above London Bridge?—Yes, it is always called above bridge; it is at present, particularly between Chelsea and London Bridge, which contains the greatest part of the traffic, not at all in a satisfactory state, for this reason, that we have had to keep in view what the conservators foresaw, the probability of this embankment; and the whole of the shoals which lie particularly in that part, and below Westminster Bridge, have not been touched, on this ground, that when the embankment is made, an immense quantity of material must be required for filling it in, and as all our difficulty has been getting rid of the stuff when dredged, we should then be able to dredge the river at a much cheaper cost, and at the same time assist in making the embankment at a cheaper cost, and we have reserved all the dredging, I may say, from Chelsea to London Bridge for the dredging that will be required when the embankment is made.

1437. On that account, then, you have done little or nothing to that part of the river?—Very little;

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little; we have removed one shoal above the Houses of Parliament, very near the position of the new bridge that is now crossing the river; it was found, in consequence of, we thought, a projecting shoal there that the current which ought to have kept the front of the Houses of Parliament free from mud, was diverted too much over to the other side, and a mud bank was created which, at low water, showed beneath the terrace; in order to remove that we cut away the bank immediately above; and at the same time we also dredged where the pier is over on the south side, and in some few places in the neighbourhood, in order to remove a large mud hole that existed in front of the Archbishop's Palace; wherever we could put material on the shore, it enabled us to get rid of it at a cheap rate; and therefore as to a very large and bad mud flat immediately in front of Lambeth Palace, we tried an experiment by filling it up and levelling the shore to an uniform slope by shingle, which answered our purpose in getting rid of the material, and at the same time it was a great benefit to the shore on that side; it answered so well that we were thinking of doing it at Hungerford, as that shore was so bad, when the embankment question came up, and, of course, we were obliged to defer it.

1438. In what condition is the river from Chelsea Bridge to Staines?—The upper river is all rather shallow, but it is quite deep enough for the traffic that goes there; the deepest barges now go up at certain times of the tide; it is only with the flood that the barges go there; they do not work much against the tide, but as the tide flows they go up with it, with plenty of water as far as Teddington, and above that it is entirely lock navigation.

1439. Between Teddington and Chelsea Bridge is there not a very great amount of shoal?—Yes, and the channel there is not as deep as I should wish to make it, although there has been no inconvenience there that I am aware of; we have never had any complaints of the barges not finding water enough for themselves since we dredged so far towards Teddington.

1440. Do you remember that Mr. Walker, in his report, speaks of that portion of the river being in a very discreditable state?—It was very bad, much worse than it is, before it was dredged below Teddington.

1441. What have you done as to that?—The dredging above bridge has been chiefly done by the licensed dredgers; they have been working steadily throughout the five years, but then they only take material that is useful to them.

1442. Would not the rest of the channel of the river be greatly improved if more attention than had been given to it were directed to removing the shoals above London Bridge?—The channel might be greatly improved by dredging, of course; the cost would be very heavy, and we have had this difficulty above bridge, that the traffic was so reduced that it was ceasing to become a paying traffic, while there was the bondholders' interest to be paid upon a failing traffic; and if the railways went on competing successfully with the barge traffic, it was a question whether the upper navigation would be kept up at all without an expense that would not be fair towards the lower navigation, from which the funds would come; but latterly the revenue above bridge has been increasing a little.

1443. Is not the lower navigation of the river very much affected by the state of the higher portion of it?—No, I think not; because there are no holes forming below that are caused in any way by the state of the river above. You might, by a certain amount of dredging, let in a little more tidal water to the upper river, but I do not think that has any bearing, or is so trifling that it need not be considered in the state of the river below London Bridge, for we do not find that settlement takes place there. None of the shoals that have been removed show any tendency to silt up again. They are old geological formations, not deposits, except in the tiers where the mud and filth that is dredged there has probably come from the sewers, and has been deposited round the vessels grounded at low water; they form, as it were, a stop water for the mud, but the shoals below London Bridge do not silt up, as far as we know yet, with any deposit from the river.

1444. You told the Committee on Monday last that the attention of the Conservancy Board had been very greatly directed to preventing impurities being introduced into the river; does that observation apply equally to the river above bridge as below?—Everywhere.

1445. It has been stated to me by a Member of Parliament, of great public distinction, that now, at this moment, there are some works being constructed at Ham, for the purpose of conveying the sewage from that district into the Thames; have you any knowledge of that?—I can explain that entirely.

1446. Sir *John Hanmer*.] That is where they take the drinking water, is it not?—No, all that comes from above the locks. By our Act we were not allowed to interfere with any of the existing sewage coming into the Thames, but we determined from the first to oppose any addition to it that we possibly could; and although large additional quantities are coming in in the upper part of the river from the towns that are springing up in the rear of the towns on the banks, and which new towns are pouring all their sewage into the old watercourses which conveyed the sewage into the Thames before, yet that we had no power over. Where any new attempt was made to put sewage into the river we took a decided stand against it.

1447. What were your regulations as to that?—The first cases we had were cases of private individuals residing on the banks; in many cases the level of their land was so low as, perhaps, to be below the embankment of the river, so that they were even flooded by the rain water, and had no opportunity of getting rid even of surface water. In many cases they applied to us to be allowed to put a pipe through the embankment to carry off the surface water; we made great difficulties about it at first, for fear they might be used for other purposes, and we only consented after tying them up most stringently, having power for our engineer to inspect any works they made, and pledging them that nothing but the surface rain water should go into the drain, reserving our right always in granting this pipe, that it should remain there only during pleasure, so that we could take it away if anything but pure water was ever found flowing into the river. We felt that we could not refuse them the right where there was not a natural drain or watercourse to drain their rain water into the river; in fact, that is an advantage, but we have tied them up stringently in every way we could to prevent anything but surface water. These were all cases on a small scale, until

until a deputation about two years since waited on us from Ham. I think it was chiefly composed of some of the principal residents and clergymen and medical men. They pointed out that the district lay so low, they had no outfall of any kind for any surface water; that after wet seasons they were overflowed over the whole district; that the cellars of houses were filled; and that the water laid in stagnant places in such a way that it was very unhealthy; that a bad fever had recently occurred in the neighbourhood, which was very fatal, and they were advised that the only chance of preventing such epidemics was draining the lands, and they asked our permission to drain the whole district into the Thames. We went into the thing fully before we gave any consent, and we made them give us in writing the application strictly worded, so that it should only be for surface water. We tied them down in every way to prevent any house drainage going into the Thames; we made the grant conditional upon its being only for surface water, reserving to ourselves the power, if we found anything but surface water going into the Thames, to withdraw the pipe in the embankment, which would leave them flooded again as they had been, and of course render all their large outlay useless. We, therefore, had immense power over them; and only two or three months ago, when the works were approaching completion, we found out that there was a suspicion in one part of something more than surface water being prepared to be put into these drains; we immediately sent for the parties who had applied to us, and requested them to come with the engineer; we went fully into the whole subject with them, and we at last extracted from them this confession: they told us the rules they had made for the guidance of the residents; that while no sewage of any kind was to go into the drains, that they would allow the kitchen sinks to be connected by a pipe with the drain, because they considered that would not be objectionable to the river. Fearing that if we allowed that excuse, other things would be put into the sinks, or other pipes connected with the sink pipe, we at once gave them notice that we would stop the whole pipe and withdraw the drain if they allowed even a sink drain to go into it, or a yard drain for stabling, or anything of that kind; and we again repeated to them the assurance that we would withdraw the pipe, and throw them back upon their original state if they broke the pledge they had given that nothing but the surface drainage went into the river. I do not think it possible for anyone to have been more stringent than we were in providing for that, and I do not think that anyone can say we ought to have allowed that state of things in the district to remain, and not to allow their drainage water to go into the river.

1448. *Chairman.*] From your knowledge of the proceedings, and the policy of the Conservancy Board, if the statement were made to you that workmen employed in the neighbourhood of Ham had assured a gentleman living there, that they were constructing the sewer conveying the impurities of the neighbourhood into the Thames by the direction of the Conservancy Board, would you think that must be in some way or other an error?—It must have been said in utter ignorance; I can quite understand the mistake; men accustomed to drainage work and to putting in drains over a district, and perhaps knowing that these drains could not be put into the river without the consent of the conservators, were doing these works.

1449. Will you be so kind as to look at that paper (*handing it to the Witness*); did you ever see that letter before?—Oh yes, this is one of the letters I alluded to.

1450. What is that letter?—This is a letter from our Secretary to Mr. Wingrove, Clerk to the Board of Health, at Ham Common.

1451. What does it state?—The substance of it is, "I am directed to refer you to the conditions therein stated, namely, for carrying off the surface water of the district, and to state that the conservators cannot give their permission for any other than surface water being passed through the sewer into the river, it being understood that slops from house-sinks will not be considered surface water." That was the very thing they stopped after they confessed to us that they were going to put in the kitchen sinks; and we gave them that notice officially, in addition to what we had told them at the Board, so that there might be no pretence for having any sink connected with the sewer.

1452. Have the conservators taken all reasonable pains to carry those regulations into effect?—Yes, and they have had notice that our servants would watch the pipe, and that if any offensive matter flowed from it it would be taken up.

1453. Sir *John Hanmer.*] I wanted to ask you a question about that shoal that I see at the point of that map. Is that one which is capable of being dredged. Do you intend to dredge it?—That will be deepened undoubtedly, I should think, when the general dredging goes on there. The idea is to deepen the water from the embankment shore to a channel of a certain depth, and then to gradually allow it to shoal up to this side. The deepest water will naturally, however much you may dredge, keep on the Middlesex shore, and the deepest channel must be on that side; but in dredging that, and in sloping the ground up to the Surrey shore, that portion of it will, I have no doubt, be dredged. There will always be a tendency for that bank to reform; a bank like that, I think, will always form, and I do not know whether, except by frequent dredging, the depth can always be preserved on that side.

1454. Have you made any calculation of the average expense of dredging?—No, the engineer can give you that. I think it costs us from 8 *d.* to 1 *s.* a cubic yard; we pay sometimes 8 *d.* a cubic yard for barges alone.

1455. Mr. *Lindsay.*] You said that it would cost a very large sum of money to remove the shoals above bridge; did I understand you rightly in saying so?—Yes, certainly. When I say remove shoals, I mean to carry a certain depth through the river channel above bridge.

1456. What do these shoals chiefly consist of?—Generally, sand and gravel, I think.

1457. Would that gravel be suitable for the ballasting of ships?—No; I think above bridge it is more sand than gravel, and I think what is taken up there finds a better sale for building purposes than it would for ballast.

1458. Then you can dispose of the sand for building purposes, and the gravel you could dispose of if you were allowed to do so for the ballasting of ships?—Yes; we do make a profit out of the sand raised for building purposes by the licenses for the dredgers; and it is a question whether we should make very much more upon an equal quantity of sand by interfering with these men's business and selling it ourselves

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selves than we do by letting them dredge and sell it, paying a small price to us for doing it.

1459. Then, if you are also allowed to sell the gravel, could you not make a profit upon it as well as on the sand?—Yes, and we may now above bridge sell anything we like, if we choose to take it into our own hands.

1460. But you can take it down below bridge, can you not, and sell it for ballast for ships?—No, there is the difficulty.

1461. If you were allowed to do so, would not that very considerably diminish the cost of deepening the river above bridge?—Yes, if we had any material above bridge fit for ballast, but I think we should find plenty of material below bridge for ballast, and nearer the point of delivery.

1462. Mr. *Longfield.*] What arrangements have the conservators made for getting rid of the impurities in the village of Ham?—They have nothing but what they had before, which I think is entirely a system of cesspools, but then, being a gravelly soil, the liquid overflowing from the cesspools would filter through the gravel, and I dare say a great deal of it would find its way to the new drain; but unless any one had surreptitiously put a pipe into the drain, it would come perfectly pure after filtering through the gravel soil to the river.

1463. Do you think any powers under this Act are sufficient to prevent this nuisance?—No, certainly not. It was upon the subject of more power to keep the river clear that we were principally anxious to come before Parliament.

1464. Have you any powers for that purpose, except those contained in section 102?—No, that is the section that applies to all; we could do very well with that if our limits had been a little extended, because, as I said before, when they raise a quibble about docks and canals not coming under that clause, because they do not flow into the Thames, although they flow in twice a day by opening gates, they are able to evade our powers to a very large extent; and in the same way when a magistrate decided that this filth going into the sewer a short distance above its mouth, is not discharging it into the Thames, it is evident that we have not power, if that decision is right.

1465. Would you not prefer that there were minimum penalties as well as maximum penalties?—We have found, even where we have had convictions, that the magistrates have awarded such trifling fines that not only have they not borne any proportion to the expense, but they have been literally useless in deterring men from committing the same offence.

1466. Would you not in all cases withdraw a certain jurisdiction from the magistrates, and define by law a minimum as well as a maximum penalty?—Yes, certainly; we have found the necessity of it.

1467. In fact, in general experience, have you not found that the maximum penalty awarded by magistrates, in one case or another, is nearly abortive?—It has been so in our own case, most decidedly; that has been my experience generally in these matters on the Thames.

1468. As far as the Thames is concerned, have you found the want of minimum penalties a great disadvantage?—Most decidedly; there is another point bearing upon that, which was the reason why one of the clauses was in the Bill, and which I may as well explain here. The magistrates thought that the penalties ought to be paid to us towards the expenses of the prosecution, but a question was raised whether they could do it, because the police law decides the penalties within certain districts should be paid to the police, and, therefore, we have not received even those small penalties towards the payment of our expenses.

1469. The general rule of a public body acting on behalf of the public is, is it not, that all discretion should be taken from the magistrates, and that they should be merely administrators as to the imposition of a fine?—I think the magistrates might have certain discretion, but I do not think where there is a maximum penalty of 20 *l.*, for instance, the magistrates should have the power to fine a man 5 *s.*

1470. You think a minimum penalty would be useful?—Most certainly.

1471 Mr. *Cave.*] Have you not heard complaints of long strings of coal barges towed up by tugs?—We have had occasional complaints, and we have prosecuted in two or three cases for a breach of the bye-law. By law they are not allowed to take more than six barges in a string, and we have had trouble particularly with one party in preventing their servants infringing the Act, and have convicted those who did so. The law, I think, limits them sufficiently, but it ought to be strictly enforced.

1472. Is there not a rule of the river that vessels should never go up except with the tide?—No; you cannot restrict them in such a river as this to going only with the tide.

1473. Have you not heard of that as an old rule?—No, I do not recollect it; certainly it is not the case. I never knew it prevent the steamers in the Thames coming up with the flood or ebb, as best suited them.

1474. Supposing there was a collision, is it not the case that the vessel that is going against the tide considered liable?—Oh, no, nothing of the kind; because, when two vessels are moving in a tide, you must consider them as in still water; they are both moving together over the tide equally, and in going through the water, they are going just as if there was no tide at all.

1475. Have there not been complaints that the barges are allowed to be navigated by one man only, contrary to your rule?—No, I do not recollect one complaint. There was a complaint that we compelled two men of a certain class to be in a barge.

1476. I do not mean that, but as a matter of fact, are not your rules infringed by barges being navigated by one man only?—If it is so it has been so rare that I really do not know of it: it has not come before us; there might be one or two cases, but I have no recollection of it.

1477. Do you find any difficulty in managing the watermen of the river?—We have very little to do with the watermen, except as members of the public, if they infringe our bye-laws. We have no special control over watermen more than any other body.

1478. Have you no police control in the river Thames?—We have certain control that our Act gives us over the public generally navigating the river, and we have to a certain extent police control, that is, the police carry out our bye laws, and aid us in convicting offenders, and we consider that we have power to appoint men whom we may call police; we have appointed two men to act directly as police to endeavour to put a stop to the discharging of the mud from barges into the river, finding that the police were not entirely bound to do it for us, and that they had perhaps

other

other duties taking them away from the spot, the barges required watching, and we selected two good men ourselves, and we have them as our own paid officers on the river, to watch this mud, to call in the police to aid them if it is necessary, and also to watch the place from which the mud is taken; in this way we have very much checked this practice, particularly with the aid of the authorities at Woolwich and the coast guard authorities, who have always been directed to aid us. I hope we are now in a great measure stopping it; still the uncertainty is so great about it, and it is avoided in so many ways that we thought it necessary to ask Parliament for more powers to prevent its being done.

1479. Do the tiers of colliers that you mentioned just now still lie in the set of the tide, as they did formerly, or has that been changed?—The tide I think where they lie now is nearly equally strong, both in the stream and where they lie, except so far as it is obstructed by their hulls.

1480. Is there any scour under their hulls?—Yes, there is, wherever they touched the ground before we have dredged a sufficient depth of water to maintain a scour below them.

1481. You mentioned the difficulty there was in regard to the coal trade in bringing it up so high as the Pool; I thought the other day you rather objected to the coal trade at the Victoria Dock?—No, you must have misunderstood me; quite the contrary; our object is to get more colliers to go to wharves and docks, the more the better; we wish all colliers to go into docks and discharge; but there is one objection, and that is, where the coal is discharged in docks, and afterwards comes out of the docks, and then in numerous barges floats all the way from those docks up through the whole stream.

1482. And to obviate that you wished to turn the derrick, that lies down there, into a sort of coal hulk?—No, we did not wish it; we were applied to by a party to do it, and for some time we did not grant it, but after going fully into it we thought we saw advantages in it that were certainly worth a trial; and that if done, with certain precautions, which we could insist upon, for it was all done during pleasure; and if our conditions were not complied with we could have it removed to-morrow; we thought it was worth making the experiment when the parties were willing to do it at their own expense.

1483. That was to enable the steam colliers to land their coals very rapidly, I suppose?—Yes, to be cleared rapidly.

1484. Would not the coal discharged by the derrick be distributed necessarily by means of barges?—Yes; but then that was on condition, which was not the case before, that no barge should come up or down except in tow of a steamer, so that these barges, instead of floating slowly about, and being dangerous, must be taken in sixes at most by a tug.

1485. Is there not a railway to the Victoria Dock now?—Yes.

1486. Would it not be better still when coal is discharged to take it on by railway, instead of bringing it to London by water?—Most decidedly. I think the Conservators would gladly encourage any thing that would induce parties to discharge colliers in the docks, and take the coal away by rail. It was the increasing discharge at wharves direct, without coming into the stream, that has enabled us to reduce the number of colliers in the Tees.

1487. You mentioned a difficulty with regard to the sewage that was discharged into the river through the dock gates?—When I spoke of docks I only spoke of docks as being on the same footing with canals; but it is not in cases bearing upon docks that we have had to complain of, it has been the canals. I do not know that any sewage discharges into what are known as the regular London or other Docks.

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1488. That was what I wanted to ask you; whether any is discharged from the docks, properly so called?—No, I believe not; certainly not to my knowledge; we have not found the inconvenience from that that we have from the particular place I allude to, where a canal was studded with these objectionable works, the whole of which was cast into the river twice a day.

1489. You do not speak, I think, as to the operations of the Trinity House?—I have not yet been asked much upon that subject.

1490. Is there not an unnecessary difficulty created by the Trinity House with regard to transferring orders for ballast from one ship to another?—You allude, I suppose, to where one vessel has ballast which may be transferred to another, upon the payment of a small fee.

1491. No, I do not mean that. I mean where ballast has been ordered for one vessel, and it has been considered advisable by the owner to change the order from that vessel to another?—I do not know enough of the detailed working of the ballasting to give any opinion as to that.

1492. Is it not your opinion that there is a conflict of power between the Trinity House and the Conservancy Board below bridge, which is detrimental to the public interest?—I think so, most decidedly.

1493. And especially with regard to the ballasting question?—I think the ballasting and the dredging to improve the river, should be in one hand; I think it was given apparently by charter to the Trinity House originally for that purpose.

1494. Let me ask you one or two questions with regard to the Board itself. How are questions settled at the Board, in case of a difference of opinion?—By vote.

1495. By the majority?—By the majority.

1496. Have there been members of the Board, whose private interests have been affected?—I do not know a case with the exception of complaints that had been made to us on two or three occasions, of a nuisance being caused by mud coming from a dock, which dock had belonged to one of our Board, and in no case have more prompt measures been taken to have it removed than in that case where the complaint was against one of our own members. I should wish, in mentioning that, to allude to a case that has been touched upon here, to show how, I must say, false was the impression attempted to be conveyed in the case of the pier belonging to Mr. Cubitt, that our sanction was given in any way because he was a member of our Board; so far was that from being the case, that I did not know, until I heard the question put in this room, that that pier belonged to the Mr. Cubitt who had been our chairman. I thought it was the Mr. Cubitt who had some large works on the river and other places, and until Mr. Cubitt became our chairman, I did not know that there were two Mr. Cubitts; so little could it have had any bearing upon the case, that it was decided, I think, two or three years before Mr. Cubitt became our chairman, and certainly at that time I did not know that any one connected

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with the Corporation of London, or with our Board, or ever likely to be, was a party concerned.

1497. I do not wish to go into any individual cases, and my question has no reference whatever to that case, but in looking at this paper which has been given to us containing a list of the Conservators of the Thames, there are names that one of course cannot help knowing are connected with property on the banks of the river; I want, as a question of the general principle of the action of the Board, to know what is the course taken when any interest of members of the Board is to be affected?—I have never heard of any case in which a member was interested, except the one that I alluded to of the proprietor of a large extensive wharf, with a dock in it, which dock I believe was not in his own hands, but which, as the owner, he was to a certain extent answerable for; the mud from the dock had formed a bank in the river; I think the same complaint was made twice, in both cases the instant removal of the evil was ordered certainly as promptly as was ever done in any case.

1498. I suppose there has not been a sufficient number of cases of that kind, to cause any general rule to be laid down as to the absence of those members during the discussion?—No, I think those are the only instances that I have known occur, and that member perhaps has been more likely to be absent than some others, and he may not have been present when that was done; but I certainly recollect its being first hinted to him, and there being rather a laugh against him at the time, that we were obliged to take steps against one of our own members, but that was a very trifling thing in which the party himself was not concerned; it was merely like any other case arising in the river that we had to rectify.

1499. At the same time there is this fact, that the Board is composed partly of the representatives of the interests on the river, and partly of the representatives of disinterested bodies?—No; I think you can hardly call it a Board partly composed of representatives of the interests of the river; it is certainly composed of representatives of the City of London Corporation; indirectly, of course, they do represent large mercantile interests, because all the men who elect them are elected by large mercantile interests in London; but they really directly represent the Corporation of the City of London, who had the whole control of the river before us, and, of course, it was a subject of compromise; the Bill itself was a compromise between the City's rights and the Crown; and they, as it were, divide the representation on the Board between them.

1500. Are you acquainted with Mr. Page's Report and his recommendation to the Committee upon tidal harbours, that was published in their Appendix?—No, I am not.

1501. Mr. Page gives some recommendations as to the constitution of a board of conservators for the Thames, and he recommends that besides those different parties who now compose it, the dock companies, and the shipping interests should be represented, what is your opinion as to such a recommendation as that?—I think it is a very difficult question, for this reason, that the Board was formed in a peculiar way, through legal difficulties, which gave rise to a compromise. It was not a Board formed afresh, without originating in anything of the kind; had the Board been formed without any regard to existing interests and rights in the river, I think there can be no question that parties paying the tolls from which the funds were derived, would have a fair right to be represented on the Board.

1502. Supposing this Committee was to report that the present constitution of the Board was not a good one, but that it should be composed of representatives of all the interests in the river, would that meet with your approbation?—I think there are interests who might fairly expect, in any reconstruction of the Board, to be represented; but I think the representation should go with taxation; I only speak of the shipping interests; the mercantile interests must be as well represented by the number of men engaged in business in London, who are on the Board, as it could well be; but the shipping interests, particularly the large associations, or whatever they represent of the shipping interests in London, or in the coal associations, those two bodies, I think, should be represented.

1503. *Chairman.*] And the docks?—The docks are not at all taxed for the river; the vessels are taxed in the river, whether they go into the docks or not; I do not think the docks have any more right than any private individual on the shore.

1504. Mr. *Cave.*] But the dock owners, and the wharfingers, are frontage owners, are they not?—Certainly; but they are not taxed, they do not pay towards the funds of the conservancy in any shape.

1505. The frontage owners, and the owners of houses, generally on the river, might they not, at any rate, put in some claim to have representatives on a Board which affects their interests so very deeply?—My own view would be, decidedly not; I think if they paid a share of the funds, for the river management, they might then expect it. Representation might go with taxation, but I do not think it need go beyond; and there is another reason why I do not think it would be desirable; whatever Board manages this river will find some of its greatest difficulties in connexion with the wharfingers, and the shore line, in reconciling conflicting interests, and doing justice to the public where it is necessary. As to the wharfingers, whom you have, as it were, to control, and to prevent doing things injurious to the navigation, I doubt whether it would be desirable to represent them on the Board.

1506. Does not that apply equally to anybody who navigates the river; you have to control them, have you not?—They pay taxes.

1507. That is going back to the other principle; I am alluding now to the principle of having to control them. You object to the wharfingers, because you think you have to control them?—Their interests are very often in direct contrast with the public interests.

1508. But is not that the case with shipowners?—No, I cannot see it in any way; I do not think there is any regulation that we make on the river, that must not be generally for the benefit of the shipowner, as well as for the public.

1509. Have not the coalowners objected to some of your regulations?—From the very first time that we began to consider the question of the coal arrangements for the river we have never gone into a single question connected with these regulations, I believe, without inviting them to give us an opinion.

1510. *Chairman.*] Without inviting whom?—The representatives of the coal trade; that is, I think the Coal Exchange, or whatever body it may

may be. We have had large deputations from them; we have discussed all the measures with them; and I think that shows that even where we thought it right, we did not exercise our authority in these matters very despotically, when we consulted the parties fully, and gave them our ideas of what would be beneficial, and asked for theirs before we adopted anything; and I think we have had more general concurrence with the parties connected with the coal trade than any others in our measures. I do not recollect any difference, unless it is represented that this clearing of colliers by the steam machine on the floating derrick has been objected to. I do not know that it has. I thought that was specially objected to by persons in the docks.

1511. Mr. *Cave.*] I am asking entirely for information; I want to get at the principle which you with your great experience would like to see adopted; you say that taxation would be the principle upon which you would form your representation, I think?—Yes, I think so.

1512. And that alone?—I think those who pay towards those taxes, the shipping interest of different kinds, if any change is made, might fairly, if they wished, have representatives at the Board.

1513. How many additional representatives would that necessitate?—I would not on any account increase the number; I doubt myself whether a smaller number would not work better in some respects.

1514. Where would you make the difference, taking the present Board?—If any alteration was made, I would certainly substitute any members that were put on it, for City members.

1515. What is your idea as to having your deliberations public?—I do not think there would be any benefit from that; certainly the work would go on much more tediously. There would be more speaking, perhaps, for the public sometimes. We have never found the slightest difficulty, or heard of any objections, I think, to anything that has occurred, from our sitting privately; because whenever we have had anything to discuss in which certain parties were interested, we have fairly invited them to come and give us their opinions to any extent. I think that few Boards would have done that. Our common way of arranging everything has been by deputations from the parties interested going fully into the subject with us.

1516. Then you think the publicity of the decision would not necessarily increase the independence of that decision?—I think not; take the work of a single day; the question comes, for a little embankment like this, it has to be discussed with the engineer, plans have to be seen, and two or three members discuss it, as you would in a private room. What object could it be to have speeches made, or to have the public present to hear that little question discussed.

1517. *Chairman.*] But surely business of that kind would be transacted by a committee, would it not, not by the Board?—But our committee does a very important part of the business, and if the public are to be present at all, they ought to be present at the committee, as well as at the Board; a very important part of the work is done in committee.

1518. Mr. *Cave.*] Is your objection to a large Board, that the power would fall into the hands of a few?—I thought the Board too large when I went to it; I have not found that that has been the case; I think I may say so, certainly from 8 to 10 of the 12 generally take a really practical share in all the discussions every day the Board meets.

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1519. I think we have been told that in Sunderland there is a Board composed of 52 members, what is your opinion as to such a Board as that?—I think it had much better be reduced to 5 or 10; certainly, I cannot believe that a large Board like that can be a good executive Board.

1520. Upon what principle should the Trinity House have power in the river at all?—Its old charters, old rights conveyed by charter.

1521. The charter is their justification, and gives them their status. But upon what principle should they have any thing to do with the river?— I do not know of any other.

1522. *Chairman.*] Perhaps you will state what they do in the river?—The charter gives them the distinct right over the ballastage.

1523. I believe it is not the charter, but the Act of Parliament, is it not?—Yes, it is ballasting, and dredging consequent upon ballasting. I do not know whether it was ever intended to go beyond that, but upon that they grant licenses for dredging sand and ballast below bridge for private purposes, but the charter gives them clearly the right to control the lights, buoys, and beacons of the coast, and the entrance of rivers, so there can be no doubt that by their charter they have the control equally with the coast of the entrance to the Thames, so far as regards lights, buoys, and beacons; I think that is a very good arrangement. I doubt whether it could, or should be changed, for this reason. It is not like a single narrow entrance or harbour of a river where there is a well defined boundary between the coast light and the harbour light, for it is difficult to say where the coast ends, and the river begins, with the large estuary and numerous channels of the Thames. I think whoever has the control of the coast lights near the Thames, should carry that control up through all the delta of the Thames, and just within the limits of the Thames Conservancy boundary is the last light and buoys of the Trinity House.

1524. Does the Trinity House exercise any jurisdiction over lights within the boundary of the Conservancy Board?—There are no lights except the one that I alluded to, which is the last light up the river.

1525. What light is that?—The Mucklin light, I think.

1526. How far is that from the creek?—Very little way above; it is in sea reach, in the direct reach of the Thames before you change your course out of sea reach. There are two or three buoys and a light above our jurisdiction in the reach belonging to the Trinity House.

1527. Have you any lights in the river?—We have one at Gravesend for regulating the anchorage of ships.

1528. Only one?—Only one.

1529. Does the Trinity House exercise any jurisdiction over the buoys and beacons of the river?—There are no buoys for the guidance of vessels above those which I alluded to in sea reach; the numerous buoys for mooring vessels they do not claim any jurisdiction over, but they have placed leading beacons on the shore of the Thames in certain places, so far they have exercised under their charter which gives them the entrance jurisdiction, a jurisdiction further up the river by placing beacons, and that is the jurisdiction which came into conflict with our jurisdiction exercised under this Act. I should have said that there

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are two lights just above our boundary, one is the Mucklin light and the other the Chapman light; they are both in sea reach in which our boundary terminates.

1530. Mr. *Cave.*] The beacon I suppose enables a vessel to steer by bearings?—No, by two beacons placed as a leading mark, and so keeping them on clears the danger better than anything; it is the safest and best plan of all.

1531. At any rate, it is by bearings that they steer, is it not?—No; with a single beacon they would have to steer by bearings, but where these beacons are placed in line they form a safer steering mark, much better than any bearing or buoy, as long as thick weather does not prevent their being seen.

1532. At all events the buoy floats upon the shoal itself, and the beacon indicates the shoal by being placed somewhere else?—The beacon would in some cases be upon the shoal also. I do not recollect one in the Thames. I will instance the one that gave rise to the dispute between us and the Trinity House; it is called the Black Shelf; there were two Trinity beacons placed to keep vessels off the shoal in the bight of the bend of the river, and it was rather singular that the Trinity representatives at our Board first saw and suggested the necessity of putting new beacons. I think a vessel was seen on shore. I was not myself with them that day, but it was pointed out, I believe, by the Trinity representative at the Board (Captain Pigott), who took a great interest and share in the work, that the whole Trinity marks were nearly being built out of sight by houses, and that it would be very desirable to place two other leading beacons on the opposite side of the bank of the river on the open shore, as the Trinity ones were becoming indistinct; when it came before the Board, every one agreed to it at once, and among those who thought it right for the conservators to place these beacons was Captain Shepherd, the Deputy Master of the Trinity House, who was also on our Board, and who certainly was one of the very best public men that I have ever had any connection with; neither he nor the representative of the Trinity House thought by doing so we were infringing on their rights; they evidently supposed as we did, that by our Act, we had power to beacon the Thames; but when the Trinity House learnt that we were putting up these beacons, the Elder Brethren, I suppose by a majority, decided that we were interfering with their province, and gave us notice to that effect; we, therefore, had a distinct conflict upon the question, as to who had the right to put up these beacons. We asked them to send us their authority, and they sent us their charter, which distinctly referred only to the entrance of a river, and not to the river inside the entrance. The result was that we both had the best legal opinions we could get. Our legal opinion was most decided that we had the right, and not the Trinity House; the Trinity House's legal opinion was a very qualified one, that is, was very doubtful, as far as I recollect; of course I am speaking from recollection, and it was advised that a case should be agreed upon for an amicable decision of the case, which, I believe, has never been done yet.

1533. *Chairman.*] Are the beacons only useful as indicating shoals?—Only as leading marks, or marks to guard vessels from dangers.

1534. Then when the shoals are removed there will be less occasion for the beacons?—Yes, in one case already either an alteration or reduction of the beacons has followed the dredging; but in that case to which I allude there will be no dredging; the shoal is well out of the navigable channel. The channel is quite deep and wide enough for all the trade, and therefore it would be folly to dredge it; also, from its peculiar position, it would be very likely to silt up again. Therefore, there must be permanent beacons to guard a place of that kind.

1535. Mr. *Cave.*] I suppose as ballast is taken from shoals generally, the right of ballasting springs from the right of buoyage?—No, I think that is very distinct; the buoyage and beaconage is given with the lights by charter, but the ballastage is evidently given distinctly for the purpose of ballasting ships, and at the same time aiding to improve the river by the removal of shoals.

1536. I think you said that there were no lights within your jurisdiction belonging to the Trinity House?—No, not one, except those two I have mentioned; but above that, the only one that they have is a small one on a hill, for making experiments, not for the guidance of the river.

1537. Then your opinion is, that the Trinity House should continue to have control over all lights, but that the Conservancy Board should have transferred to it control over the buoyage and beaconage of the river?—I would continue to the Trinity House the limits that I believe their charter gives them, which I believe is the entrance which may be fairly taken up to these buoys and lights I have mentioned.

1538. *Chairman.*] In fact, the estuary of the Thames?—Yes, in sea reach, though it may be considered in the river; it would be a pity to sever that from their system, so immediately connected with it. The moment you turn out of the sea reach you shut out all their lights, buoys and everything, and there is nothing above them but these little beacons; therefore you can draw the line very well.

1539. Mr. *Cave.*] You say you would alter the constitution of the Board, by giving the shipowners a representation on it?—Certainly. If it is altered, I think they alone have any claim to be represented on it.

1540. Mr. *Hodgson.*] I understand your opinion to be, that if the Conservancy Board for the River Thames were to be reconstructed afresh, without reference to the past, in that case you think it should be composed of persons elected by those interested in the shipping?—I think that they should have representatives upon it.

1541. What other body, or what other interest should you consider ought to be represented at that Board?—I think, under all the circumstances that the City, which now has a number of members upon it.

1542. And do you make that answer with respect to the present position of the City, as having representatives, and having had representatives at the Board, or upon the general principle that the City of London, or any other corporate body, ought to be represented upon the Conservancy Board?—I think for both reasons; I think so, principally because they had the control of the river before, and because there are so many members on the Board at present, that it would be very hard upon them to take them all away at the same time; I think it is such an influential body mixed up so much with the immediate trade of London, the greater portion of that trade, perhaps, being interested in the shipping, that

that they might fairly expect to be still represented upon it; and individually, I should say that it would be a very serious evil in the reconstruction of the Board, to risk all the City members being taken from it, because it would be impossible to expect strangers to understand the work as they do, the professional members of the Board would have found it much more difficult to perform their duty at first without their assistance.

1543. I am putting a case where no Conservancy Board has existed before, and therefore, where no City members have been upon that Conservancy Board; in that case, supposing the Board had to be constructed for the first time, do you think then it should be composed entirely of representatives of the shipping interest, or what other interest would you have represented at that Board?—I think the general principle should be, that those who are taxed should be represented.

1544. Upon that principle, do you think it would be advisable to tax the owners of docks and wharves and barges, and then to represent them at the Board?—It would be a very difficult thing to spread the taxation over such a vast extent, and to tax all the numerous barges upon the river, I certainly think it would not be advisable to alter that; I think, if the shipping interests were to press the question, if they were to say that they paid too large a sum, and that there were other interests that might expect to pay a share of it in proportion to their interest in the river, then I think it might be a question whether taxation might not spread, but at present it is very simply raised, it is a small sum on each ship, and the machinery would have to be increased so enormously in order to extend the taxation to barge owners, wharfingers, and all those numerous persons, that there would be great difficulty. I might instance the difficulty even in the upper navigation, in which barges are taxed; they have to be taken in passing certain places; the collector has to watch for them, and collect the tax night and day; and if you had to collect the tax on all these numerous barges floating about the Thames below bridge, I think it would be really impracticable.

1545. Are you speaking of the collection of the toll from the barges navigating the river?—Yes.

1546. Supposing that the difficulty of assessment were got over, and supposing the owners of barges could be assessed in some manner that you have not now in your mind; supposing the wharfingers could be assessed without any difficulty, and supposing the owners of docks could likewise be assessed without the difficulty which presents itself to your mind, in that case do you think it would be a right provision, that they should be taxed, and then that their interest should be represented at the Conservancy Board?—If they were taxed, and if it was a representative Board, I think they would have a claim to be represented upon it, but I think it would be almost impossible to represent all these interests. It would be very much better, and better for the public working of the thing to leave the tax as it is; I cannot see in any way that the thing would be improved, I may say that in such a case as Liverpool and the Humber, where they have large representative Boards, the conservancy of the river is kept in the hands of the Government. At Liverpool the Admiralty retained their Conservator, who is a Government officer; therefore if you were to put London upon a similar footing with a large representative Board, you must put it on a similar footing by appointing a paid conservator, who will be independent of that Board, and who will have the control beyond the Board to see that nothing was done to injure the trade and navigation of the river.

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1547. I think you stated that you entered the Conservancy Board with a certain prejudice on your mind in consequence of the construction of that Board?—No, I beg your pardon; against Boards in general, as working bodies.

1548. Then, your prejudice did not arise from this circumstance, that a majority of the Board were members of the City Corporation?—Certainly not; it had not the slightest allusion to it; in fact, I do not know what we should have done at first, if it had not been for the assistance given us, and the share taken in the work, more especially by some three or four of the City members, who had great experience of the river before we had.

1549. Do you mean arising from their connexion with the conservancy previously?—From having been upon the Navigation Committee of the previous Conservancy Board.

1550. But not arising from the fact of their being members of the City Corporation?—No.

1551. I think I gather from your answers that you do not think it would be advisable in constructing a new Board that a majority, or any large proportion of the Board, should consist of members of the corporation of London?—No; I think of the non-official members the shipping interest would have a fair right, as paying the taxes of the river, to be represented among the members; but I think it equally necessary that the Government and the public interests should be represented on the Board, and as long as the Trinity House exist on the river such an important body, having the control of the pilotage, I think it is only right that the Trinity House should be also represented on the Board.

1552. Do you apply what you have stated with regard to the Thames to other Boards of conservancy in the provinces?—Yes.

1553. To the Tyne, the Wear, the Mersey, and other rivers?—Certainly; if I had a voice in it, I would not constitute a Board managing a harbour or river in any part of the kingdom upon which I would not have some members to represent the public interest more directly than the representative members; I would have Government members upon any Board of the kind.

1554. Are you acquainted with the constitution of the Tyne Commissioners?—No; I do not know how they are constituted.

1555. We have it before us that out of 18 members, six are appointed by the Corporation of Newcastle, two by the Corporation of Gateshead, three by the Corporation of Tynemouth, and three by the South Shields Improvement Commissioners, who, I suppose, answer to the Corporation of London here, so that, out of 18 members, 14 are appointed by these Corporations, and there are four life members besides. Is the constitution of that Conservancy Board, one approaching that which you would recommend?—Most decidedly not. I think there are too many representing the Corporation on the Board; I would certainly have the shipping interests more directly represented than they appear to be in that case.

1556. Newcastle appointing six, and Gateshead two, that is eight out of 18 in the upper part of the river; would you think that mode of distribution a judicious one?—I should not call it a judi-

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cious one at all; I should not think the constitution was one that could be justified.

1557. Are you aware that previously to the appointment of these Commissioners, the Conservancy was in the hands of the Corporation of Newcastle?—Yes; I understand they had the entire control of it.

1558. Are you aware that it was stated in a Report to the Admiralty, by Captain Washington in 1849, that that old Conservancy Board had spent half a million of money since 1809, upon the improvement of the town of Newcastle?—I can quite believe it.

1559. In your opinion, then, the past management under that corporation was not very good?—Certainly not.

1560. In the course of your experience in the office you hold, has any complaint been made to you of the influence which is exercised by the members appointed by the Corporation in the upper part of the River Tyne, as regards the proceedings upon that Commission?—No; the only thing I have heard complaints of has been in connexion with their having the control of the pilots, that is more in my department; I should not have heard of the other.

1561. Are you aware that in addition to the corporate members that the town clerk of Newcastle is by Act of Parliament continued the clerk of the Tyne Commissioners?—No, I was not in office at the time that Board was formed, and I had nothing to do with it.

1562. Has anything come under your observation in your office at the Board of Trade with respect to the deep water dock which the Tyne Commissioners have obtained power to construct?—No.

1563. You are not aware of the works which have been undertaken by the Tyne Commissioners?—I am aware of it, but not officially; all that jurisdiction was under the Admiralty until very recently, and I have had nothing to do with it, so that I only know from the chart the position of the dock.

1564. Are you in a position to state, whether that deepwater dock at the mouth of the Tyne would for the purposes of the shipping be of very material advantage indeed?—I may say, perhaps, that I know nothing of the practical working of the Board of Commissioners in the Tyne, and therefore it would be mere matter of opinion on my part generally as to the advantage of a corporate body managing a river.

1565. Have you any knowledge of any objection made on the part of the shipping interests that the Tyne Commissioners had not proceeded with the powers they have to protect the deepwater docks?—No, I have not of my knowledge heard of any on that subject.

1566. Do you think that, in addition to the present constitution of the Conservancy Board, any Government supervision over its proceedings would be salutary?—I think that Government members are desirable upon the Board, particularly as the Government have great interest in the Thames, with their large dockyards upon it, and I think, to a certain extent, the public interests may be represented generally with advantage by Government members. I think three Government members out of the 12 on this Board is not one too many, at the same time I must repeat what I said before, that we have never known at that Board a difference of opinion between the Government members and other members; there has never been a division of that kind at the Board; the only thing that ever occurred, that I recollect, in which there was anything like a difference between the professional and other members of the Board, was upon a question connected with the establishment of a steam-vessel and its management; there was some little difference, and the City members said it was more a professional question, and whatever they might think about it they left it to the professional members to manage; there has never been any difference which has brought professional or non-professional members at all into collision; I do not think there has ever been a division in which they have not been fairly mixed up on both sides.

1567. Mr. *Western Wood.*] I wish to ask you a question as to the depth of water at London Bridge; I understand you to say that there is plenty of water between Chelsea and Richmond?—At certain times of tide they generally go up on the flood there is plenty of water; we have heard of no difficulty in barges navigating the river.

1568. Is it not the fact that steamers plying between Kew and Richmond frequently run aground?—Steamers, certainly; I was not alluding to steamers, they cannot navigate the upper part of the river except at certain times of the tide.

1569. Mr. *Locke.*] You stated that you had appointed two men on the river?—Yes.

1570. Are those men constables?—They are our river keepers; you may consider them constables.

1571. But they are not appointed constables, are they?—I am not sure; they have not been long appointed, but I think it was intended to get them appointed constables; they are watchers on the river, and they bring things to the notice of the police, and call the police to their assistance, when necessary.

1572. You are aware of this, I presume, that a man who is a constable has greater power than an ordinary individual?—Certainly.

1573. With regard to taking persons into custody, if he entertains a suspicion, that he has a right to do it?—Certainly.

1574. Whereas an ordinary individual has not, is not that so?—It is a question whether our keepers on the river have power to take men into custody; I believe they have, without being specially appointed constables; we have two river-keepers up the river, guarding the fisheries, who certainly do take men into custody if they are found breaking our byelaws.

1575. You say breaking your byelaws: what sort of byelaws do you mean?—Byelaws for the regulation of the fisheries.

1576. If they are seen taking any fish out of the river at an improper time, I suppose you mean?—Illegally in any way, by nets for instance.

1577. There is a special section in the Act of Parliament with respect to that, is there not?—Yes; it gives us power over barges throwing mud into the river, and other things.

1578. And those men act as servants to the Conservators?—Yes, and so do the two men that we call police.

1579. You consider that you, as the Conservators, if you were there, would have a right to take the men, and so you think that persons appointed by you would have the right to do so?—And so would

would the men below bridge; they are to guard against the infractions of another byelaw, as to casting filth in the river, and they act as our servants in the same way.

1580. But you are not aware whether they are fortified by any extra power, by being made constables or not?—No; I think being appointed our officers on the river gives them power to exercise that authority in carrying out our byelaws.

1581. You have no power at all to prevent sewage being emptied into the river, have you?—Not sewage existing at the time of the Bill passing, but as to any subsequent sewage we have.

1582. Mr. *Longfield.*] I do not think there is that difference in the Act, is there?—I think it will be found that all sewage existing then is exempted from the operation of the Bill.

1583. Mr. *Locke.*] Is there any authority by this Act to prevent the throwing of any rubbish into the river?—Yes, or filth of any kind.

1584. But that clearly does not include sewage, does it?—No; sewage, I know, is specially exempted somewhere.

1585 The second and third clauses in your proposed Bill does not appear to me to go any further, does it?—We do not ask it to specify the sewage for this reason, sewage will be cut off by the main-drainage works. Our great object by that Bill was, that by the time the sewage was cut off by the main-drainage works, then, when there would be less excuse for the river not being in a proper state, we might have power given us to keep other filth out of the river, when the sewage itself would be removed by the main-drainage.

1586. Are you aware where the main-drainage commences?—Perfectly; and I was going to take an opportunity of calling the attention of the Committee to that very point.

1587. Where does it commence?—It commences only at Putney.

1588. Then as to all above Putney, you have no authority to prevent the sewage going into the river, nor will the new drainage affect it?—We have no authority to keep the sewage out of the river from old-existing sewers; but we consider that we have authority, as in the case of Ham, to prevent a new district being drained into the river and pouring the sewage in.

1589 Do you consider that you get that authority under the old Act?—Yes.

1590. Is not that very doubtful?—We have never doubted it.

1591. But has that question ever been tried?—I am not aware that it has.

1592. These two clauses, the second and third that you propose, do not appear to me to carry the matter much further; how is that?—No. Our object was to extend the jurisdiction which the Act gives us to what we believed the spirit of it ought to have given us at first, which was, to places cut off from the Thames by gates, by means of which the Act was evaded.

1593. It only applies to ballast stones, earth, ashes, rubbish, soil, mud, dirt, refuse from gas-works or from manufactories, and other refuse?—I think that would include everything.

1594. Do you think that would apply to sewage?—I do think that it would include everything; there is rubbish, and dirt; sewage is dirt certainly.

1595. Do you not think it very likely, if a legal opinion were taken upon that, that the distinct answer would be, that it did not apply to sewage, and that if you meant it to apply to sewage, you ought to have mentioned it by name?—I have said nothing about making it apply to sewage; I think you are quite misunderstanding the whole of my evidence.

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1596. You said it would apply to everything, did you not?—Yes. You have put it as conveying that I said I thought it might be held to apply to everything that was not specially exempted; but we had no idea of touching the question of sewage in that Bill. We had no difficulty about sewage; that was provided for specially under the Act; and I am sorry to say that when the main system is completed, there will still be a city discharging its sewage into the Thames, above the main-drainage system; and I want to take this opportunity of calling special attention to that point. The towns of Twickenham, I believe, certainly Richmond, Mortlake, Barnes, Kew, Brentford, Isleworth, Hounslow, Spring Grove, and a large back district, which is being largely built upon, are pouring an increasing amount of sewage into the Thames every year, and that I believe half a million of persons, at least, will discharge their sewage into the Thames, after the main-drainage works are complete, above the upper limit of it; and unless the subject is taken up by Parliament, and provided for very speedily, the whole expense of the Metropolitan main-drainage works will be, comparatively, of little value.

1597. In point of fact, it would have been impossible to have introduced a clause into this Bill to have regulated the sewage above Putney, would it not?—We had no idea of such a thing.

1598. Would it not be necessary to have a special Act of Parliament for that, similar to the one which gives the power to the Metropolitan Board of Works to construct the main-drainage, to carry off the sewage from Putney down to Erith?—Certainly; and unless that is done, very serious evils will arise from those towns on the upper part of the river.

1599. You have stated, in answer to an honourable Member, that you consider it would be an advantage if all the coals were taken to some docks, and carried by rail, from those docks, into the town; that that would relieve the river?—Yes, carried away, wherever they were going.

1600. Have you ever given any consideration to the question, that if that plan were adopted, how it would be possible for anybody to get through the town; you would relieve the river, but would you not relieve it at the expense of the town?—Certainly not, because there are railways going through and bounding the town, and there would only be the same carting from the railway that there is now from the river bank. The same distance exactly, on an average, would have to be taken by all the carts to get from the railway that is now taken from the river.

1601. How many stations would you have in the town, then, for coals?—That is a point I have not gone into.

1602. If you took the coal by rail from the dock, and put it in one depôt, would it not be necessary to cart it from that one place to every part of the town?—I have said nothing about one depôt; neither have I, as I say, gone into the question of how it should be managed on shore. All I say is, that it would greatly increase the facilities

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facilities of the navigation in the river, and that the river authorities should, as far as possible, encourage coals going to docks and wharfs, instead of coming by sailing colliers into the river to be discharged in the Pool.

1603. You say that they should anchor alongside the wharfs?—In docks and at wharfs. Coals going to wharf by screw colliers have much improved the condition of the river, because they are taken out of the channel, and they discharge a much larger quantity in a given time by the aid of lifts and machinery. Therefore, although, perhaps, there is not as much advantage in that system as there is in going to docks, yet it is very much more advantageous than the present mode of unloading from colliers in the tiers.

1604. Then you would get rid of the barges in the river?—Yes.

1605. And get rid, also, of the unloading in the middle of the river?—Yes.

1606. Then the colliers would go to the docks and wharfs, instead of being, as they are now, in the centre of the river?—Yes.

1607. You made some mention about this pier down at Greenwich, Mr. Cubitt's pier, and you say that you did not know whom this pier belonged to?—I only knew that it belonged to a Mr. Cubitt. I did not know at that time that there were two Mr. Cubitts, and I did not know that it belonged to the one who had been Lord Mayor until the question had been put in this room.

1608. Are you quite satisfied that all your colleagues shared your ignorance upon that point?—I suppose some of the City members knew it, but it was two or three years before he became our Chairman that the thing was decided, and I may mention, perhaps, that that pier was sanctioned officially, by the old authority of the City of London, and in several cases, as there were some doubts about the powers of the old Corporation to grant, legally, the right of erections on the foreshore, in consequence of their dispute with the Crown, and many parties have come to us since, as our authority is undoubted, and asked us to confirm previous grants; and we have in some cases given them the freehold titles of wharves, which there was no power to give them before. We thought that just, and in the same way we gave to the owner of this pier a confirmation of the title granted by the City of London, and I may say there was another thing which certainly, in my own mind, told me that it was quite a right thing to do, that the only objection, and the only opposition, I believe, made to this pier, arose on the part of a Ferry Company. When the Isle of Dogs was a barren waste, to the extent of many miles, and there was only one road across it to Greenwich, very naturally, a ferry was a valuable thing, but when the Isle of Dogs was covered by valuable buildings, nearly from end to end, and when the population of a large town was springing up upon it, that that population, miles in extent, should be deprived of all pier accommodation, because a certain ferry right gave privileges to certain parties to carry passengers from the Isle of Dogs to Greenwich, seemed so preposterous to us, that as far as we could, and by licensing piers in proper places, we thought it right to give the public that advantage.

1609. Mr. *Longfield.*] Has a court of law confirmed your right?—Since I left the Conservancy Board the Court of Queen's Bench has decided, after all, against that very ferry.

1610. Sir *John Hanmer.*] Was the right claimed to be an exclusive right?—An exclusive right.

1611. Mr. *Locke.*] Those were the complaints with regard to that, were they?—I believe so.

1612. Mr. Cubitt then had cause to complain that the Corporation allowed him to put this pier up, when they had no authority to permit him to do so?—No, I think they had, as they thought, authority, although it was in dispute, and they exercised that authority in numerous cases.

1613. Did not this case of Mr. Cubitt's decide the question, that in point of fact, they had not, as Conservators of the river, authority to put it up?—I was not aware that that point was decided by it.

1614. I rather think there was no distinct license given by them to Mr. Cubitt, was there?—I thought there was.

1615. Did not they leave him to defend himself in the best way he could, without helping him?—I thought the City gave authority as far as they could, as they gave the same authority to numerous erections on the banks; parties had applied for years to the Lord Mayor, the then Conservator, for powers to erect piers and other things on the banks, and had obtained permission, but large numbers had refused to pay the stipulated rent for many years, on the ground that the authority of the Corporation was doubtful, and when we came into power we collected the arrears that were due to the Conservators before the Act passed; I may add, which will set it at rest, that there was a fixed rent upon Cubitt's pier due to the previous authority before we came in, and, therefore, the grant must have been given.

1616. Therefore, Mr. Cubitt was left to defend himself in the Court of Queen's Bench?—I think he was proceeded against, not on that question, but in this way ——

1617. He was indicted by the ferrymen, was he not?—He was indicted for having his pier there as a nuisance, and, as is common in these cases, men can be got to swear to anything, and perhaps this pier being in collision with their ferry, to prove it a nuisance.

1618. Are you aware that any obstruction in a river, whether it may be for the advantage of the public or not, if it interferes with the navigation of the river, is, in point of law, a nuisance?—It is, unless it is granted by a special Act of Parliament.

1619. You say that you think ship-owners should be represented at the Board?—As paying.

1620. I presume you include as ship owners, barge owners also?—No, I do not.

1621. Will you explain why?—Because they do not pay, they are not taxed. Every ship that comes into the Thames, pays so much a ton to the fund; the barges pay no sum whatever to the fund.

1622. I understood you to say you employ men in watching to see the barges come by a particular place, and levy money upon them?—I distinctly confined myself to the barges of the upper navigation, it is only the barges there that pay.

1623. What do you mean by the upper navigation?—Above bridge; up the river.

1624. Your Conservancy extends to that part above bridge as well as below, does it not?—It applies to all that pass Kew.

1625. You think, then, that nobody who pays money above bridge ought to be represented, only those that pay below bridge?—As to the barges

barges that pass the upper navigation, it is just possible that the owners of those barges might have a fair right to be represented.

1626. What do you say as to the barges that take coals to coalwharves, above London Bridge?—None of them pay.

1627. Where is it that they begin to pay?—I think no barge pays that does not pass Kew; if I recollect right, the collector is at Kew.

1628. Then, anything that goes above Kew pays, does it?—Certainly; all that goes above Kew.

1629. That is within your jurisdiction?—It is.

1630. I wish to ask you a question or two with regard to the landing-place or pier at London Bridge, on the Surrey side; are you aware that any stones were taken away from London Bridge, which had been placed there for the security of the bridge?—I stated that about two feet, I think, of the chalk or material at each end of the bridge, how placed there I do not know, that that small portion of the shore at each end of the pier, to give depth for it, was removed.

1631. By whom?—By the Conservators.

1632. Was that removed for the purpose of erecting the pier on the south side?—It was moved at both ends of the pier for a short distance. When we went to put the pier there, we found a deep hole abreast of the pier of the bridge, I think with as much as six or eight feet water, far more water than was required for the pier to float in, but at the ends where we wanted the length of the pier to overlap the steps there we came upon water, for a short distance at each end, too shallow. Those spots were just at the end of the bridge, or beyond it. There we cut down the material, I think, two or three feet, if I recollect right, deep enough to let the ends of the pontoon float; but instead of that being in the slightest degree likely to be injurious, we placed at the spot where we cut it away, the dolphins, to which are attached the pier, and those dolphins were bounded between the spot we cut away and the bridge and steps, by what is called sheet piling, so that the material from which we cut this, was further strengthened and kept up by sheet piling, continned right to the pier of the bridge.

1633. Placed by you?—Placed by us; and if anything was wanted, which it was not, to give really more stability to the material at the foot of these steps than existed before we put the pier, this would give it.

1634. Then, in point of fact, if I understand your statement, a certain portion of that which the persons who built the bridge considered the foundation was removed by the Conservators of the river Thames, but you substituted in place of it something which you considered was better?—Nothing of the kind; it was many feet, I suppose 20 feet above the foundation of the bridge, and there was a natural hole in the river, with seven or eight feet water, extending along the whole length of this very pier, where we only cut down two or three feet on each side of it, so that we did not go by several feet down to a hole that was existing without the slightest injury to the bridge long before we touched it, and so we might have cut down seven or eight feet without going deeper than the existing hole in front of the pier, and, of course, if that hole did no damage to the foundation of the pier cutting down two feet on either side, and strengthening what we cut down by sheet-piling, made it perfectly impossible that anything we did could have the slightest effect upon the pier of the bridge.

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1635. Will you explain what it was you cut down?—We cut down a bit of the sloping bank on each side of the pontoon to get depth of water for the ends of the pontoon to fit in close enough to the pier.

1636. Was this sloping bank against the pier of the bridge?—It was against the steps of the bridge, and therefore close to the ends of the pier.

1637. Therefore, there was a portion of bank; what was it formed of?—If I recollect right it was chalk and rubbish of different kinds.

1638. But it had been placed there by those who constructed the bridge, had it not?—I suppose it had, but certainly not with any idea of strengthening the foundation, for there was a large hole with nothing in it, several feet deeper, alongside the foundation.

1639. Therefore you say, because there was this hole, you considered yourselves justified in making it larger by cutting away over that which was by the side of it?—We cut away a small bit on each side of this large hole, sufficient to float the ends of the pontoon, and if there was any possibility of the ground in that part ever giving way in the slightest degree, or slipping away from the foot of the steps into this hole, what was done made it still stronger and less likely to slip, because the ground that was left was faced with sheet-piling, and so strengthened this material, whatever it was, much more than when we first touched it.

1640. I understand you that you took a portion of the ground away, and that you strengthened that which you left; was the ground that you took away a considerable distance from the pier, and between it and the ground there was a deep hole?—It was a considerable distance from the pier where we cut it away; I think from 17 to 18 feet from the pier.

1641. Mr. *Locke.*] The ground went up to that pier, did it not?—It went up to the steps more than the pier.

1642. Did not it go up to the pier also?—Yes, but not to say the pier of the bridge; it is the abutment of the bridge, and alongside the abutment for a considerable extent on each side.

1643. At each side of the abutment of the bridge, there was this chalk close up against it, was there not?—It extended out some feet from the foot of the steps.

1644. Between the chalk on each side of the abutment, you say there is a hole?—There was a large hole.

1645. Which large hole enabled you to put the landing place; what did you call that?—The dummy.

1646. Then that large hole enabled you to place the dummy there, but you could not place it because there was this chalk at each side of the hole?—Yes, in front of the steps.

1647. And likewise on the other side?—In front of the steps on each side, to which steps we wished to convey our brows.

1648. Then you cut it away?—Yes.

1649. And you say that did no harm?—Certainly not, not the slightest harm.

1650. Was not Sir John Rennie of a different opinion?—Sir John Rennie certainly gave some extraordinary evidence about the damage that would be done there, but he was contradicted by equally valuable engineering evidence, and the result has shown which was right.

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1651. Mr. Page, and several other engineers likewise, supported Sir John Rennie, did they not?—I do not recollect now.

1652. Then it is a matter of opinion now, is it, whether or not you have weakened the foundations of London Bridge?—I do not believe that it can be a matter of opinion, because the foundations of the bridge were so many feet even below this hole that I speak of. If that hole did not weaken the foundations, it is utterly impossible that cutting away two feet of ground much further off than the hole could weaken it.

1653. Do you know anything about the action of the tide on London Bridge?—I know generally what it is.

1654. What is it?—It has no effect at all on London Bridge.

1655. The tide has not?—No, not on London Bridge; it may in the course of years wear away a little bit of the surface of the granite. I do not know that it can do anything more.

1656. Has it any effect on the side of the abutment next the shore?—It would be a long time before the water would wear the granite there at all; it might do so slightly.

1657. I mean with regard to the foundation?—Then its effect must be on the foreshore, not on the bridge.

1658. But on the bridge through the foreshore, where this chalk was put?—There has been no change whatever in that foreshore in consequence of the action of the tide since we placed the pier there; the hole which existed there is, I believe, much in the same state, and there has been no change whatever; the tide seems to have no influence whatever in working away that foreshore, but if it had the sheet piling which we placed from our dolphins to the pier of the bridge would effectually prevent the foreshore on both sides from the tide having the slightest effect upon it, even if it could previously.

1659. Then, I understand you to say that you have not observed any effect at all from the tide, but that if there should be any, the sheet piling which you placed there would entirely prevent its having any injurious effect?—No; I say it would certainly tend to lessen any possible effect of the tide upon washing away that portion, but I believe no change had previously, or has since, taken place through the action of the tide.

1660. Can you at low water see the tops of the wooden piles that were driven round the abutments or piers of London Bridge when it was built?—I do not recollect having seen them myself.

1661. Can you state the number of square feet that have been taken from the River Thames from the time your Act came into operation down to the present time?—Do you mean by piers or by embankments.

1662. By embankments, or any how?—No; it would be impossible; we have had almost a hundred applications for embankments of the foreshore by wharfingers, which they have carried out in numerous places, some to a considerable extent, but all I believe for the benefit of the river.

1663. Do you think it has been as much as a hundred thousand square feet?—I could not form any opinion; I could give it you roughly in a few minutes, taking a hundred embankments at so many square feet each.

1664. I will not trouble you to do that; I thought you might probably have made some calculation, or that it might have been done in your office?—No; I suppose we must have had as much as two hundred thousand square feet of embankment upon the foreshore alone, but all by the application of wharfingers, all very much to their advantage, and we believe tending very much to the advantage of the river.

1665. I believe the Greenwich watermen have complained to you for taking away their pier, have they not?—Yes; that is a case which I think the Committee have not had properly explained to them yet; they had some piers there; afterwards the Act of Parliament pier, as we may call it, was placed at Greenwich. Parliament sanctioned a company making a large pier for steamboat accommodation at Greenwich, where no proper accommodation existed. Part of the condition made was, that that company should compensate certain representatives of the Greenwich watermen for any possible loss by the removal of their pier. I believe they had a pier previously; at all events, to compensate them for any loss which this pier might cause to them. The compensation was this, that after a certain profit, I think 5 per cent., a division of the profits was to be made between the representatives of the watermen, which was some watermen's society, I think, and the Pier Comprny; after this was done, the watermen who said that they were not represented by this society, but certainly in a breach of the spirit of the agreement, put out a pier without any authority in addition to this Act of Parliament pier; that pier was, I believe, by law two or three times removed, or by authority of some kind; still they persevered in putting it out, and when we came into office this question was referred to us; the pier was put out right in front of the public landing stairs for the watermen's boat to Greenwich, and certainly the stairs were partly interfered with; the access to the stairs was not so good as it used to be, through this pier being placed there; when we went into it we were applied to by the New Pier Company. It appeared that while the watermen had agreed through certain parties to receive campensation for the new pier, they were trying to put a rival pier alongside it, and so interfere with the profits which some of their parties were to participate in, and when we inquired fully into it we saw that these men were really making an encroachment on the river, without any public right, and in breach of faith to the company, who, under an Act of Parliament had made a large and valuable pier for the accommodation of the public. We decided at once to remove this pier; but the watermen's representatives said, "What has been the use of this new pier to us? We have never received a farthing; this new company has never made five per cent., and therefore we have never received anything from this pier, which was to recompense us for our loss." We therefore entered into negotiation with the company on behalf of the watermen, and we got them to agree to this, to let them share the profits over 3 or 3 ½ per cent. (I forget which), instead of 5. They were already making something over that sum; and we at the same time, in justice to the company, removed the encroachment which this pier was; we tied the company down to this better agreement for the watermen, and since that the watermen's representatives have been receiving an annual sum, through us, as compensation, which they never would have received if we had not made this better arrangement for them.

Therefore,

Therefore, I think it must be evident that these watermen have no right whatever to complain of our Act, because we had a perfect right, and quite justly might have swept away that pier without doing anything for them, for they had no right to have it there; it was not necessary. There was no reason whatever for our allowing it to remain; but the watermen, when they made this objection, said that the pier was a protection to their boats, which lay sheltered inside it at the public landing steps. We said, "Well, we will put piles and a boom, which will better protect your boats and landing-steps than this does, and we, at our expense, put that down for them, where it has remained ever since; so that, for the watermen landing in boats at the pier or steps, the shelter for their boats is better than it ever was. There was one way in which a good deal of opposition was made out of this. I have no doubt that it was a good deal at the bottom of it. It has been brought against us, as one of our despotic acts. The new pier lands the passengers in a new street, alongside Greenwich Hospital, and they go up one of the best streets in Greenwich. The old pier took them up a by-street, and the proportion of passengers that landed there had to go up this by-street, unless they turned up into the new street as soon as they could. In that by-street there are several public-houses, and no doubt the trade of those public-houses has been affected by this arrangement. And as in some boroughs, public-houses have a good deal of influence, I have no doubt that these public-houses have been a good deal at the bottom of the attack that has been made on the Conservancy Board.

1666. I think you gave 800 *l.* for this pier, did you not?—I do not recollect the sum, we gave them a fair sum.

1667. Did not they say that it cost them 1,500 *l.*, whereas you only gave them 800 *l.*?—I do not know what we gave them; I believe they were fully satisfied with it, and we need not have given them anything, they were there as interlopers, breaking the law, and we might have told them to take away the pier, and not have given them anything.

1668. You could not take away their ferry, could you?—No, we never attempted it, we did not care anything about their ferry.

1669. Their ferry is preserved, is it not, by your Act?—All ferries are; we do not interfere with any ferries.

1670. Is that by the 179th section?—I do not recollect the section, but we do not interfere with ferries, only in the case I have mentioned. We did not refuse our sanction to pier accommodation for the people at the Isle of Dogs, because there was a ferry in that neighbourhood; that is the only way in which we have interfered with ferries that I know of.

1671. You do not consider that interfering with them?—No; we have since put up a pier of our own for the Isle of Dogs, where a large population has sprung up, and where the Steamboat Company applied specially to us, and the people in that locality petitioned to have this pier accommodation. We have nothing to do with the legal rights of the ferry; we saw that pier accommodation was wanted, and we have put a temporary pier there to test the value of it.

1672. The effect of that temporary pier is, that a steamer takes passengers across and lands them on the other side?—Much below.

1673. But it does take people across the river?—Yes, much in the same way that the Greenwich passengers are carried across to Blackwall.

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1674. If that pier which you placed there had not been put, they must have been taken across in the ferry, must they not?—Or they must have gone down to Mr. Cubitt's pier, or taken watermen's boats; I do not know how they would have gone.

1675. Then, in point of fact, it did interfere with the ferry?—Any pier erected in the river for steamboats, I suppose, interferes more or less with the watermen's traffic, but that would be tantamount to shutting out steamboat accommodation for the public for the benefit of the watermen, which, I believe, would never have been thought of. It would be going back to old days, if we did so.

1676. Then the question is, whether these persons who have that right should not be compensated?—We had nothing to do with that, for this reason: we were asked to put the pier at the Isle of Dogs for the accommodation of the residents. We do not say whether the parties who ply their steamers there can legally do so without interfering with the ferry or not. We think the pier necessary for the public accommodation, and they have a fair right to ask it. We leave the question of the right to take passengers there to be settled between the Steamboat Company and the ferry. If there is any legal question at all it must arise with the steamboat proprietors and the ferry people.

1677. Sir *John Hanmer.*] Is any question pending at law now in this case?—I believe the question has been settled, in the case of Mr. Cubitt's pier, recently, that it does not interfere with the ferry rights, and that he has a right to put it there.

1678. Mr. *Locke.*] Do you consider whether or not you took away or abridged any legal right of ferry when you did that?—When we did what?

1679. Put up that pier?—Which pier?

1680. The pier down at Greenwich, or the Isle of Dogs, where that ferry existed?—I do not know myself the exact position of the ferry, but they ferry across right opposite Greenwich, and I cannot believe that an old existing right would deprive parties living a mile on either side of it of the right to go in a steamer from that place down the river, merely because they landed on the opposite side; if so, we certainly ought not to be the parties in any way to help such a monopoly at the expense of the public.

1681. Mr. *Cubitt.*] I think the pier you put up was between the ferry and London, higher up?—Yes.

1682. Mr. *Longfield.*] The Court decided that you did not abridge or alter the ferry?—I heard lately that the Court of Queen's Bench has decided in the case of another pier, an exactly similar one, that it was not an infringement of existing rights.

1683. Mr. *Locke.*] Are there not two piers, one at Milwall, and the other at the Isle of Dogs?—The Milwall pier is on the west side of the Isle of Dogs, half way between Greenwich and Limehouse. Mr. Cubitt's pier is on the east side of the Isle of Dogs, half way between Greenwich and Blackwall.

1684. Then these watermen have got a pier placed on each side of their ferry?—At a considerable distance; so they had before; they had a pier at Blackwall on one side and Limehouse on the

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the other, and it would only be a question of distance where is the limit to be drawn?

1685. But these piers have come nearer to them?—Yes.

1686. And they consider that it interferes with their rights of ferry, do they?—That I do not know; I have only heard it.

1687. Do you know whether or not the pier at Milwall was shortened 30 feet?—It was about to be done; when I left the Conservancy we had decided it.

1688. And has it been done?—I suppose it has.

1689. Because we were told that it was not so?—I do not know.

1690. Was it upon the ground of its being dangerous to the navigation of the river?—It was on this ground, in consequence of the foreshore there extending at low water very far down, and having to put the pier beyond low water it was found that one or two vessels, I think, have fouled it, and in consequence of that we have dredged away, or were going to dredge away, the point at that spot, and throw the pier 30 feet back, where it would be quite out of the way of those passing vessels, or more out of the way.

1691. Was there one sailing barge that went inside and carried away her mast?—I have never heard of that; she had no business to go inside.

1692. That was not the place of course for her to go; but wind and tide might have taken her there against her will, and if that pier had not been there, she would not have gone up against it?—So it might occur with every pier on the river; that might be a reason for putting no piers whatever in the river; but wherever a pier is, all we can do is to make a passage for barges inside, without masts; if masted vessels will attempt to pass inside those piers over the foreshore, an accident must happen; but if that case has occurred, it would be only one I have heard of in five years, and therefore cannot be taken as an argument against a pier.

1693. But there was some argument against the pier when you agreed to shorten it 30 feet?—That was because we wished to make it project less into the river, so as to lessen the possibility of obstruction.

1694. Do you recollect a barge being sunk there?—No, I do not; I heard of one, and I think I heard of a second vessel fouling; a schooner, if I recollect right; one might have been a barge.

1695. Can you state how many law suits you have had?—No; but you have a return of them, the two law suits we have been principally interested in, have been those two about the piers; the expensive work has been, I think, Parliamentary; we came some two or three years ago, when we found the same evils that we touch upon in this Bill, and we then came with a somewhat similar Bill to the House of Commons; that was thrown out on the Standing Orders upon the ground that we brought it in as a Public Bill, and we could only bring in a Private Bill.

1696. I believe you were very anxious about this Bill that was introduced this Session?—I was, certainly; so were all the Members.

1697. You used all the interest you possibly could about it?—I do not think any interest was used: so much so, that it was remarked a day or two before the thing came on that we ought not to have been so idle when such an opposition was getting up against it, that we ought to have worked in a totally different way from what we did to try and get a chance in the House, and our answer was, we "suppose, as a matter of course, as we only go to ask for powers to carry out what Parliament has entrusted us with, we shall be heard before a Committee, and we are quite willing then to have the thing thoroughly investigated;" therefore, we made no exertions whatever, and it was not till the very night it came on, I think, and when we found that the City Remembrancer and the Lord Mayor, our own chairman, were doing everything they could to get up a feeling against us, and to support this opposition in the House, that we supposed for a moment there would be any serious opposition to prevent our going before a Committee.

1698. Then you consider that the Corporation opposed your Bill?—You are alluding to the last Bill, are you not.

1699. Yes, the last Bill brought in this Session; do I understand you to say that the Corporation was opposed to that Bill?—I think the Lord Mayor and Remembrancer acted very much in opposition to this Bill; and there is one point in the Bill I have not been asked a question about, which it is necessary to explain, because I consider it very important. That opposition was caused by our endeavouring to get the appointment of a deputy chairman. We had found from experience that the Lord Mayor being *ex officio* chairman was nothing more than a farce, and we had power only to appoint daily a chairman in his place; we felt that it was necessary, as one of our members, without the authority that a chairman has, was literally doing the work, devoting an immense deal of his time to it, and always acting as our chairman, but the Lord Mayor was only known beyond our Board as our chairman. We had had a striking instance of how it bore upon us when the Commission sat for embanking the Thames on the north side. That Commission was actually appointed to consider an embankment upon our freehold, and not a member of the Conservancy Board was appointed on it. The Lord Mayor, as representing the City of London, was appointed, and it was attempted to be shown that he also, as our chairman, represented our Board; he had never been to it; he knew nothing of it; he could not know; and we felt that it was all-important that we should, in this case, be represented by some one having authority at our Board. When the Bill was coming in, we asked at first, not in the Bill, but in the first draft of it, to elect our chairman, not our deputy chairman; we all felt it to be a necessity, and the moment we did so the new Lord Mayor opposed us; because we asked this power he said that it was interfering with the City rights, he being *ex officio* chairman, and the suggestion was made, that we should appoint a deputy chairman to preside in his absence, instead of chairman. After that arrangement had been made the Lord Mayor was induced, how I do not know, to say that he could not abide by it; that he would oppose also the appointment of a deputy chairman for the year to attend in his absence; then we stood our ground, and said that we must have it, and should not consent to withdraw it, and that we should go to Parliament for it; and in Committee we thought we should be able to show Parliament that it was necessary to do this; but the Lord Mayor and his assistant, the City Remembrancer, who took a very active part against us, why, I am sure I cannot tell, made much of this point; they took it up as if it

was

was a City question. I believe some individuals joined with him in that opinion, but we had the assurance of many of the leading men in the Corporation, that they had nothing to do with it, and that they would not be parties to opposing us in this matter, so that it became almost the individual case of the Lord Mayor.

1700. Then you consider, in point of fact, that it was the Lord Mayor who was the cause of your losing your Bill, and not the House of Commons?—No; I think the Lord Mayor was one of a certain party who influenced the decision of the House on that Bill.

1701. You think that the Lord Mayor, being the head of your Board, and not approving of this Bill, was the great cause of your Bill not being successful?—Not the great cause. I think, had we gone before a Committee, it would have been seen at once that he had no ground for opposing us.

1702. But you think that was the cause that your Bill was not read a second time before the House of Commons?—I think that the City Remembrancer, with the influence he has, knowing so many Members of the House of Commons, may have greatly conduced to the overthrow of the Bill by supporting the Lord Mayor in his opposition to it.

1703. But the Lord Mayor did not oppose the second reading of the Bill in any way, did he?—I forget whether he spoke against it, but he certainly went there to oppose it.

1704. Mr. Alderman *Salomons.*] He was not there, was he?—Oh, yes, he was.

1705. Mr. *Locke.*] Was there not a clause in that Bill for the payment of the Conservators?—There was.

1706. Did not the Lord Mayor object to that?—I think he did; but I should wish to explain that, as it is a point which has been taken hold of very much by our opponents.

1707. *Chairman.*] Will you state very shortly what your explanation is?—The thing was this: in order to do the duty, frequent attendance was necessary; many of the members came great distances to attend the Board, some have come weekly from near Brighton at their own expense, except the fractional expense repaid them, to attend the Board, and it was thought with the work we had to do, that it would only be just that some payment should be made, upon the footing of other Boards in London. I for one was particularly interested in this, for this reason, there are three Government members of the Board; in consequence of its not being a paid Board, and the difficulty of getting any officers to serve on an unpaid Board in London on the part of Government, they had to appoint myself who had already work to do in a public office, and also to appoint the two superintendents of Woolwich and Deptford dockyards; it was found by all of us that to take us from our other work was very inconvenient, and my own opinion was that if a small payment was made we should be able to get men who would readily work on the Board without taking them from their other work which they had to do; and when, three years since, I thought I should have to give up, I was very anxious to get one person especially, a naval officer who I felt would do well at the Board and be a most valuable member of it, and I found that unless there was a prospect of some small payment being made he would not attend: he said that he had some work occasionally given to him to do by the Admiralty, and other things occasionally to do which occupied his spare time and for which he was paid, and that he could not serve upon the Board without payment, but that he would do so if there was a prospect of a payment being made.

1708. Mr. *Locke.*] So would a good many, would they not?—For a small payment; and the same thing applied to the naval men on half-pay who were appointed by the Admiralty. It was certainly hard upon them to come down two or three times a week and work hard upon the Board, with all the expense of living in or near London, without getting anything for it.

1709. Then it was the Government element that did not like to work for nothing?—I only mention this as one reason why I saw the importance of it. Then again many of the City members had no duty to call them to London, and some of them came considerable distances and gave great attention to the business of the Board, and it certainly seemed fair that they should have a small payment for giving two or three hours a day, and sometimes more, at that Board, while members of other Boards get their guinea for sitting at their Board for half an hour. All that we asked was a payment to be distributed amongst those who attended.

1710. Was not the introduction of that clause, with regard to the 1,200*l.* a year that was to be paid to them, the cause of the Bill being defeated?—Certainly not.

1711. Was not that the Lord Mayor's principal objection?—Certainly not; his principal objection was upon the question of interfering with his *ex-officio* chairmanship.

1712. Mr. *Locke.*] You thought then, shortly, that a paid Board would work better than an unpaid one, and a regular chairman better than an irregular one?—I do not think that any paid Board would work better.

1713. But you thought that the Board, though working well without payment, would work better if they were paid?—I think that more would be able to continue their attendance at the Board; and that you could not expect some of them to continue much longer, if they were not paid.

1714. Then you thought that the Board as I say, though working well then, would work still better by having this stipend?—No; I never thought they would work better; they could not work better.

1715. But it would have been sure of their working continuously, as well as better; is that so?—Yes, so far as working continuously.

1716. And you thought, also, that a regular chairman or deputy-chairman would be better than an occasional chairman, *pro hâc vice*?—I think that a permanent chairman appointed by themselves, would be the proper thing; and as that was objected to, that they should appoint a deputy-chairman in the absence of the Lord Mayor.

1717. Mr. Alderman *Salomons.*] How many Bills have you brought into Parliament?—We tried two.

1718. Which are they?—We tried three; one we tried to bring in, I think that was a separate Bill, to remove Putney Bridge. Irrespective of that, we have tried to bring in two; one was thrown out, two or three years ago, on the Standing Orders. We brought it as a Public Bill, and we were told we could only bring in a

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Private Bill, as we were constituted by a Private Act.

1719. Are you not in error there; the second Bill, was the Bill you brought in this Session, was it not?—Yes.

1720. Was not the former Bill brought in by Sir George Lewis; read a second time; referred to a Committee up-stairs; and then thrown out?—I do not recollect.

1721. Perhaps you will just correct your memory upon that subject?—No; I think we were thrown out on the Standing Orders; that is my recollection of it. It never went before the House in any way.

1722. Sir *John Hanmer.*] It appears to me, from what I have heard, that there were some parties who had an ancient right of ferry at the Isle of Dogs; is that so?—Yes.

1723. That of course is a very valuable right?—Yes.

1724. That right, I suppose, was interfered with by your erecting piers from which steamers carried passengers across?—That was a question we had nothing to do with; we understood that the ferry people and the steamboat company might possibly come into collision; and I think, I am now speaking under correction, that the Steamboat Company agreed to make some arrangement with the Ferry Company as to a payment upon each passenger if the decision, that was then pending in law, was given in favour of the ferry.

1725. Has there been any question between the owners of that ferry and the owners of the steamers to your knowledge, on that subject?—No; I think it was a private arrangement with themselves pending the decision at law.

1726. Has there been any decision at law?—I understand there has been a decision.

1727. Mr. *William Cubitt.*] Are you aware that the Potter's Ferry Company apprehended that the erection of a pier might interfere with their business?—Yes, I heard so.

1728. And do you know that they went before the grand jury at Westminster, and got a bill found, indicting William Cubitt for putting up that pier?—Yes, I heard that was the case.

1729. And are you aware that that case was tried before Lord Campbell, who charged the jury in this way: "The common law allows no person to put up any obstruction in the highway of the river, and if you are of opinion that a barge or a vessel has been in the slightest degree incommoded by this pier, then you must find a verdict for the Crown"; are you aware of that?—I do not recollect that circumstance.

1730. Then do you know that after that, William Cubitt not being able to get the Steamboat Company to use his pier, put on, at his own expense, a steamer, in order that that question might be tried?—No; I was not aware of that.

1731. Are you aware that they brought an action against William Cubitt, and that that action was tried in the Common Pleas?—I heard that a trial had taken place to prove the right between the ferry and the pier generally; that was all.

1732. Then you are probably not aware that a case was reserved for the Judges of the Court of Queen's Bench?—No, I am not.

1733. And you are not aware that the three judges of the Queen's Bench having decided in favour of William Cubit, that the Ferry Company then carried it to a Court of Error, where all the six judges seriatim delivered their opinion that William Cubitt was right, and the ferry people were wrong?—If that is the recent decision that has been come to, I have heard it.

1734. You are probably not aware that the dictum of the judges was this: that a ferry can only exist between a ville and a ville, and that, in this case was between Greenwich and Poplar, and they had, therefore, no right to consider the whole of the Isle of Dogs, which is as big as the City of London, as their right, and that no other person should carry across from Deptford to Greenwich?—I have not heard those particulars.

1735. Mr. *Lindsay.*] Do I understand you to say that the members of the Conservancy Board are not allowed their expenses for attending the Board?—They are allowed a small sum, which, in the case of most of them, does not meet their expenses.

1736. What is the sum allowed?—Originally it was three shillings to pay railway and cab hire; that was found to be so much below what every one spent, that some wished to have it increased to ten shillings, as some of the members lived at a distance, and had to pay more than ten shillings every time they came to the Board. The result was, that we agreed to increase it to five shillings, and there it has remained. Each time a member attends he is paid five shillings to pay his expenses to and fro. We found that it would not do for everyone to keep an account of the expenses he was put to in travelling to and fro every day, and have the exact amount he spent, so it was agreed to fix a sum which should be for all, whatever distance they came.

1737. Was one object you had in view in the Bill that was thrown out, to ask for powers to divide 1,200*l.* amongst yourselves, to cover your expenses?—Yes, in proportion to the attendance.

1738. Another object of the Bill, I understand you to say was, to give you power to elect your own chairman?—To elect our deputy chairman.

1739. Did you propose that he should receive a remuneration in that capacity of deputy somewhat above what you received yourselves?—That was not specified; I may say that we only asked for that sum under the sanction of the Treasury, or one of the Government departments.

1740. You desired, at all events, power to elect a deputy chairman?—Yes.

1741. Are you elected yourselves?—Some are nominated and some are elected.

1742. Who are elected amongst the twelve members of the Board?—All the City members, (except the Lord Mayor), and the one Trinity House member.

1743. How are the City members elected?—By the Court of Common Council and the Court of Aldermen.

1744. Then the body of electors is confined entirely to the Common Council, is it?—To the Corporation.

1745. In point of fact, they are not elected, but nominated from their own body, is it not so?—Yes, they are elected from their own body.

1746. Take your own case, for instance; were you nominated by the Board of Trade?—I was; the Admiralty and the Board of Trade nominated three members.

1747. To whom did you consider yourself responsible?—To Parliament, as a member of the Board, conjointly.

1748. To whom were the other members responsible?

sponsible?—Conjointly to Parliament; to no one else.

1749. When you say you were responsible to Parliament, in what respect were you responsible to Parliament any more than any other body, or any other subject?—Only in this way, that Parliament constituted the Board, and gave us our duties to perform in detail, and we were to report to them; therefore, I consider that we were directly responsible to Parliamenr.

1750. What peculiar power has Parliament over you?—Only the power that it has in constituting us as a Board and directing our appointment; directing how the Board should be constituted, what its duties should be, and directing that they should report annually to it.

1751. Do the Board report annually to Parliament?—Yes.

1752. And do they render accounts annually to Parliament?—Yes.

1753. Then, in fact, save and except your responsibility to Parliament, you are an irresponsible body; you are not responsible to the parties whom you tax?—Certainly not.

1754. Who are the parties you tax?—The shipping of London below-bridge, and the barges of the upper navigation that pass above Kew.

1755. Are the wharfingers, dock-owners, and coal-owners, to whom great reference has been made to-day, interested in the navigation of the river?—They are interested; but they do not pay anything towards it.

1756. Wherever improvements take place, in the deepening of the river or otherwise, does that not tend to their interests?—It tends principally to the interests of the shipowner, because the barge traffic to the wharves is scarcely affected by the deepening of the river. The foreshore must remain nearly in its present state, and the barge traffic which goes in on this foreshore is not interested in the depth of the channel.

1757. Is the removal of shoals from the river not a matter of interest to the coal-owners and wharf-owners and dock-owners?—They are interested in ships, that the depth of water shall be sufficient for them.

1758. But do you think it just that the whole amount of taxation should fall upon a particular class of the community, called shipowners?—That is another question.

1759. What is your opinion about that point?—I think the principle should be, that all who benefited by the management of the Board should pay towards its expenses.

1760. Then, are those bodies which I have named not interested?—All that are connected with the barge traffic; and the shipping traffic are interested of course.

1761. Then is it your opinion that those bodies ought always to be taxed, according as they are interested?—It would be a very difficult thing to tax all the barges in the river, I think.

1762. But supposing that difficulty which you picture to yourself did not exist, and that there should be facilities offered for having each taxed, do you think it just that they should be taxed?—Yes; I do not think they could complain of being taxed.

1762*. I understood you to say, that you thought the shipping interest ought to be represented at this Board?—Yes, certainly; if any change is made, I think the shipping interest have the first right to be represented at the Board.

1763. I believe you said you thought so on the ground of that interest being taxed?—Yes.

1764. I also understood you to say, that you thought it would not be advisable to increase the number of the members of the Board?—Certainly not.

1765. And that if you substituted members for the shipping interest, you would be obliged to remove some of the present members from the Board?—Yes, I think you would have to reduce the City members.

1766. Have you considered to what extent you would introduce the new element into the Board?—No, I have not. I think if a change was made (I am speaking now without much consideration of the subject), I think three City members, and three representing the shipping interests of the river, would be a fair division, besides a chairman; but if the Board elects its own chairman, then four City members.

1767. The Conservancy Board possess very great powers, do they not?—Yes.

1768. The whole river, from Staines to Yantlet Creek, is entirely under their control, is it not?—Yes, with the exception of what control the Trinity House has in the ballastage and in the pilotage, which the conservators have nothing to do with; and also with the exception of the work that the Watermen's Company has to do on the river.

1769. The Conservancy Board are also owners of land, are they not?—Yes, portions of land; the towing-path in some places, and some few aits or islands in the river; and we have portions of land which have accumulated in the river.

1770. Is it the case that, by the Conservancy Act of 1857, they have power to purchase and sell land?—Yes, I think so.

1771. I understood you to say, that the principal business of the Board was vested in five gentlemen, who were called the Committee for General Purposes?—No. I said they did the practical business on the river. There is a great deal of business done at the Board besides this; for instance, all the financial work is done by other members of the Board. The Board is divided into a Finance Committee, and a General Purposes Committee; the more practical work on the river comes especially under the General Purposes Committee, but then it comes again before the whole Board every week.

1772. But practically, the whole of the management of the conservancy's vast business which you have described, with the exception of the finance, is in the hands of these five gentlemen?—No; many things do not go before them at all. In many cases the Board decide at once; it is when cases have to be referred, where more inquiry is necessary before decision, when perhaps we have to view the case, then it is referred to the General Purposes Committee; but when the committee is on view, notice is given to the whole Board, that any member that chooses may accompany them, and generally there are members present besides the General Purposes Committee.

1773. Do you think it is right that such vast powers in which the public are so very deeply interested, should be vested in a Board which is really irresponsible, except to Parliament?—I do not know how you could have any responsibility more direct than to Parliament. I do not think it would do to put the Board under any Govern-

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ment Board, which is the only other way in which you could make them responsible. I think it was a mistake leaving certain powers to the Admiralty after the Conservancy Act passed, which gave them two members upon the Board. I think that being represented on the Board, that Board might have been trusted to carry out the Admiralty authority over tidal waters in the Thames, and it has been a matter of form almost, going to the Admiralty; also because the Conservancy Board has an engineer and officers always on the river looking into these things, and capable of giving opinions from personal experience, whilst the Admiralty department, that has to give as it were a veto on all that is done on the shore, has no one on the river to do this; therefore, I think that having representatives on the Board, it would have been better to have given the Admiralty jurisdiction altogether to the Board. There has been only one advantage that I know of, if by any possibility there is any doubt in some minds whether we have done wrong in giving the public the accommodation of these new piers on the river, or that they could be any obstruction to the navigation; every one of these piers has been approved by the Admiralty, and their jurisdiction is expressly in connexion with any interference with the navigation, and if they had not thought them unobjectionable on that head, they would not have approved of our putting them there; therefore we have on that point had the authority of the Admiralty to back us in what we have done in placing piers in the river, and that is really the only thing, I think, in which there has been any value in their possessing this power.

1774. Sir *John Hanmer.*] Are you subordinate to the Admiralty?—So far as this, that for all plans connected with bridges crossing the river, or with embankments and works on the river, the Admiralty approval must be obtained, as well as the approval of the Conservancy. That approval is now transferred to the Board of Trade, and in future my department of the Board of Trade has to exercise this jurisdiction in the river, in addition to the Conservancy Board.

1775. Mr. *Lindsay.*] For what period of time do the members of the Conservancy Board hold office?—For five years.

1776. I think they are then eligible for re-election, are they not?—Yes.

1777. If the Conservancy Board should mismanage matters, what power have the public or the parties interested to call them to account?—They have of course the law always to appeal to if we do an illegal act, and they have Parliament to appeal to, if they have any cause of complaint, they can petition Parliament against us. I will instance a case: the pier at the south side of London Bridge. If the 3,000 persons who petitioned, and the thousands interested in it living at Greenwich, Blackheath and Woolwich, and all those districts, had found that we had allowed the one individual interest to monopolize these public steps, and not given them the accommodation of a pier in spite of their remonstrances, they would have had a very fair case for asking the Member for Greenwich to present a memorial to the House against the abuse of the power of the conservators, and I do not think the Conservators would have had the slightest answer to it had such a complaint been made.

1778. Do you think it likely that Parliament would have interfered in such a case as that?—I think they would have been quite right to have done so.

1779. What power would Parliament have in such a case as that; could they dismiss the members of the Board summarily?—They would certainly have power; the power they have exercised now, if the Board constituted by them did not in their opinion perform its duties properly; they might have appointed a committee to inquire into those complaints, and I cannot fancy a more serious power of condemnation of any executive body than a Committee of the House of Commons or the House of Lords.

1780. Do you know any conservancy Board in this country, or in any other, which is nominated as the Thames Conservancy Board is nominated?—I do not think there is a Board constituted like it in the other great ports; the Government have retained a conservator at Liverpool; there is a conservator independent of the local authorities, who exercises the power in that river that the conservators exercise in the Thames; in the Humber the Admiralty appoint a conservator, although there are local authorities to manage the Humber; there is an officer appointed by the Admiralty, as conservator, for the control of the river, so that to compare these cases you must have an elected Board to manage the affairs of the river, but a Government conservator also to watch over the interests of navigation; here we combine all these powers in the one Board.

1781. Are the members of the other conservancy Boards throughout the country elected?—I do not know how those Boards are formed.

1782. Can you not state what the case is at Liverpool?—There is a large board there returned by the rate-payers and dock owners, but they have not the conservancy of the harbour.

1783. But they have the control over the rivers?—They have not the conservancy of them.

1784. Do you know how it is in the case of the Clyde?—No, I do not; I do not think there is a conservancy of the Clyde; I am not sure.

1785. Mr. *Western Wood.*] Will you tell me whether there has been any alteration made in the superannuation allowance made to the widows of deceased harbour masters?—Not that I am aware of; I do not think any harbour master's widow has any actual right to a pension; I cannot speak with certainty. We are paying two harbour masters pensions I think, unless one has died lately.

1786. Has there been any alteration or reduction made in them?—No, I think the one that retired when we came into office, although he had retired before we took office, was awarded a pension by us, or I think his pension was given under some rule of the City, but with respect to one who has retired since, we have awarded him his retiring pension.

1787. No alteration has been made?—I think not; perhaps the acting chairman will be more able to answer that question.

1788. Speaking of your charges made upon wharfingers, do you not, in the event of their applying to you for any privilege, tax them in some degree, by charging them an annual sum for the privilege they ask of you?—We do not. The Act compels both the wharfinger and our Board to abide by the decision of an assessor appointed for the purpose, whose appointment is confirmed by the Government; and his decision is final. The rule is this: if a solid embankment is made, we convey

convey the freehold for ever, and he pays a fixed sum, fixed by the assessor, for that freehold. If it is an open pier or erection that may have to be removed, we only convey it during pleasure. We retain in our hands the power of removing it in case it is necessary, and, therefore, the person only pays a rental instead of a fixed sum.

1789. *Chairman.*] Was an arrangement made for protecting the interests of the Crown?—In both those cases we are bound by the assessor, and not by our own opinion.

1790. Mr. *Western Wood.*] As to the barges contributing in any way, I think you said they pay nothing: do not they pay half-a-crown to the Watermen's Company for registration?—Yes; that Waterman's Company question is a very important one, which I have not been asked about, but into which I should be sorry that the Committee should not go.

1791. But it is the fact, is it not, that they do pay half-a-crown for registration?—I believe so; I really do not know it myself.

1792. Is there not a hulk, called Cory's Hulk, which is moored somewhere in the river?—That is the Derrick that I have alluded to.

1793. That is permanently so moored, is it not?—No; it is quite an experiment. It is the one I have alluded to as an experiment for clearing by steam the colliers in the river. We have only granted it during pleasure, and we look upon it quite as an experiment.

1794. You have no power, I fancy, under your Act of 1857, for allowing a permanent mooring of that sort in the river, have you?—Yes, I think we have, if it is for the convenience of trade; we have granted steamboat companies coal hulks in the river.

1795. Can you point out the section in the Act which you think empowers you?—I cannot exactly; but we certainly thought we had power to give the shipowners and steamboat companies the advantage of being able to coal in the river, if they required it; and in cases where we could give them the hulks quite out of the navigation, we have done so.

1796. Do you make any charge for that privilege?—Yes, they are all charged.

1797. What do they pay?—I do not recollect. I think the coal hulks pay 20*l.* a year; I am not sure. We have put down moorings for all these hulks.

1798. With regard to this hulk of Cory's, what does that pay?—I do not know what it is.

1799. He pays something, I suppose?—I think it is about 300*l.* a year.

1800. Is it not as much as 600*l.*?—I do not recollect; but in that case it has been done by agreement with him, and he has agreed to pay the sum, whatever it is, for this accommodation in the river.

1801. Will you tell me by what section of your Act you are authorised in charging him?—I cannot say that; but certainly we have this authority, that unless he paid us what we thought right, and what we thought the public ought to benefit by, we need not give him his privilege.

1802. Mr. *Longfield.*] Is he a proprietor adjoining the banks?—No, it is a vessel moored in the river.

1803. Mr. Alderman *Salomons.*] You acknowledge that you are responsible to Parliament, you say?—Yes.

1804. And to no one else?—I do not know of any one else.

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1805. Is there any other way, you being responsible to Parliament, in which people having grievances, can apply to have those grievances redressed, except through their members?—No, I think that is the legitimate way. I said just now that I thought that large numbers of the inhabitants of the towns round Greenwich, Blackheath, and Woolwich would have been right to petition through their members if we had not given them the pier on the south side of London Bridge.

1806. Did not you, some time ago, insinuate that the grievance with respect to the pier at Greenwich affecting public-house keepers, was the reason why a complaint was made to Parliament?—My impression has been that that question of the pier was agitated very much from the fact that certain public-house keepers in that street did not like the passengers being diverted from it, and that they therefore took up the cause of the watermen very strongly.

1807. Was there not a very large trade at that pier?—I only know a certain portion of the passengers landing there; a small portion, I think, compared to the others.

1808. But there was a trade there?—There was.

1809. Did not that pier remain there for a good many years?—I do not know; I only know that it was there when I came into office.

1810. You may take it from me that it was there a great many years. You have thrown some disrespect upon a particular street; is it not very natural that the class of persons who go down to Greenwich should create a trade in the street leading from the pier?—Certainly; but at the same time, as this large pier has been made with a better street, through Parliament, it was only our duty to protect them against any encroachment.

1811. Would not the persons whose interests were affected have a just reason to complain, and represent their grievances to Parliament, the only tribunal they could go to?—I do not think they had any reason to complain, but I think they may have fancied so; and I think it bears out the statement I made, that all this agitation against us was because some few individual benefits were thought to be interfered with by us for the public advantage.

1812. Is it not so with all grievances of the same kind, that the persons who suffer make their complaints known?—I suppose so.

1813. Had they any other way, upon your own showing, of making their complaints known, except by bringing their case before Parliament?—No; if they thought themselves aggrieved, they were quite right to do it.

1814. But could they go anywhere else, except to Parliament?—No; I think that is the proper place.

1815. Mr. *Longfield.*] Are you not trustees for certain purposes?—We are trustees for the public, for certain purposes.

1816. And are you not amenable to the common tribunals of the realm?—Yes.

1817. Mr. *Cave.*] I want you to define a barge? I asked you whether barges were allowed to navigate with only one man on board, and you said no?—Barges of a certain size, that is.

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1818. Because on looking out of window just now I saw a great many barges with only one man in them?—There are two kinds of barges in the river; one is a barge worked by oars, which generally floats up and down with the tide, the other is a sailing barge, which has a mast, and lowers it as it passes under the bridges. They are all included in the term barge, but, generally speaking, alluding to the case of the bye-law for the two men, for instance, that applies more especially to the barges that float along, all the sailing barges have two men, the floating barges have only one, when under 50 tons power, but we consider that it is necessary to work their oars when above 50 tons, that they should have two men, or they could not properly keep themselves clear of obstructions in the river.

1819. Does either of these classes of barge pay tonnage dues?—Not unless they go to the upper navigation.

1820. *Chairman.*] Do they pay the moment they pass Westminster Bridge?—When they pass Kew. I do not think we have any collector below Kew; our collector is stationed at Kew.

Lunæ 11° *die Maii*, 1863.

MEMBERS PRESENT:

Mr. Blackburn.
Mr. Cave.
Mr. William Cubitt.
Mr. Joseph Ewart.
Sir John Hanmer.
Mr. Hodgson.
Mr. Hutt.
Mr. Lindsay.
Mr. Locke.
Mr. Longfield.
Mr. Alderman Salomons.
Mr. Shafto.
Mr. Somes.

THE RIGHT HONOURABLE WILLIAM HUTT, IN THE CHAIR.

CAPTAIN BARTHOLOMEW JAMES SULIVAN, R.N., C.B., called in; and further Examined.

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1821. Mr. *Alderman Salomons.*] HAVING referred to the Journals of the House, and finding that the Bill about which I asked you on Friday last was read a first and second time, and then referred to a Committee, and that it was then thrown out, the preamble not being proved, do you adhere to the answer you gave, that that Bill had been thrown out because the Standing Orders had not been complied with?—I replied to that question according to the best of my recollection and belief; it appears that I was wrong. I should be obliged if that question was put to our acting Chairman when he is examined; he will no doubt explain in what points I was wrong. I may state as one reason that I see this occurred in July, and in July I have for some years been on my six weeks leave of absence from the Board of Trade.

1822. If you say you are mistaken, there is an end of the matter?—I say that it appears that I was in error; but I answer to the best of my recollection and belief; I should be glad if our Chairman, when he is examined, is asked to explain it.

1823. *Chairman.*] You mentioned in your previous evidence that the Trinity House exercised a certain jurisdiction on the river Thames, which would be better transferred to the Conservancy Board; is there not another body exercising authority over the navigation of the Thames, to which the same remark applies?—I think so very strongly indeed, the Watermen's Company.

1824. Do you know what are the provisions of the Act of 1859, which regulate the powers of the Watermen's Company?—I know that in 1859 an attempt was made by parties who thought they suffered under the existing law as to the Watermen's Company, to bring in a Bill to amend the evils which they considered they suffered under, the result was that a Bill was passed in 1859, which slightly modified the Watermen's Act, giving some little more power to barge owners and employers of labour, to employ their own apprentices, but that left the great evils of the Act untouched, and it did worse in one respect, for the great injustice that was done under the Act of the trade of the river Thames generally, was not felt by one class of barges called Western Barges; coming out of the canals, they were exempt from the operation of the Watermen's Act; but they managed in the amended Act, which was supposed to throw the trade more open, to get a clause in, including them, and so to do away with the privilege which that one class of barge owners had previously had, so that while in one respect, as to apprentices, that act rather opened the trade; with respect to one class of barge it completely closed it again, and made the monopoly more stringent.

1825. You allude to the evils of the former Act; what do you consider those evils to be?—The principal point was this: that no man was allowed to work as a waterman or lighterman on the Thames unless he was a freeman licensed by the Watermen's Company.

1826. Is that the present law?—It is the present law; and the consequence is, that while a large number of the body are very deserving, excellent men, and get steady employ by barge owners, there are a number who are anything but desirable men, men who hang about the public-houses and other places, particularly in the upper parts of the river, waiting for casual employment; and I know cases in which owners of barge property of great value in the neighbourhood of Isleworth, Kew, Richmond, and those places, although they have men in their employ, and whom they can thoroughly trust, and who have been in their employ for years, they are not allowed to let those men even move a barge from the centre of the river alongside their wharfs to load, but they must go to a public-house and look out for one of these licensed men, who merely sits in the stern of a barge, and gets his 5*s.*, or something of that kind, for sitting there, while the owner's men navigate the barge to the wharf. No man is allowed to move a barge in the Thames for ever so short distance unless he is one of these licensed men. Boats are navigated along canals that enter the Thames very often within a few hundred yards of the owner's wharf; their own men, that have come out of the canals with them, who have navigated the barge from the canal to the wharf for years, must wait at the canal until they get one of these lightermen to sit there in nominal charge while they go to their wharf. Very often these men are not men of character to obtain permanent employ from the better class of employers, and they earn their livelihood by these means.

1827. But does not the man whom you describe as

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as sitting inactive in the stern of the barge really direct the navigation of the barge?—In many cases not the slightest; it is no navigation; it is just to haul from the stream alongside the wharf. I think some of the promoters of that Bill, the large barge owners of that neighbourhood that I have alluded to, would be able to prove these facts to the Committee, and show how very hard it acts upon their trade, and the folly, I cannot call it anything else—I may say the absurdity of this law is shown by this fact, that if a man at Isleworth has got a barge, with his own trustworthy men in charge of her, he must not move her one hundred yards down the Thames, if she is bound to a canal, without the licensed man; but if she is bound to Harwich, or the Medway, a licensed man is not necessary; the owner's man may navigate her throughout the whole navigation of the Thames, from Isleworth to Harwich; but the same man must not navigate her for the first hundred yards if she is bound to a wharf or a canal.

1828. Do I understand that by the Act of 1857 the owner of a barge or lighter is not permitted to navigate the craft himself?—Not unless he was a freeman of the Watermen's Company; I believe I am correct in that.

1829. Sir *John Hanmer.*] What was the origin of this power in the Act?—It was one of those old abuses, one of the old monopolies, I believe—the last, almost, left in the kingdom that has not been done away with.

1830. What is the date of it?—I really do not know the date.

1831. Can you tell the origin of it?—The origin of it, I believe, to have been this, that these privileges were given to them on the condition of their supplying a certain number of men to the naval service when a war broke out; they were exempted from impressment, and had certain privileges in consequence. When the Russian war broke out the Admiralty applied to them for their quota of men, and they refused them. They stated, on some point of law, I believe, that they were not bound to supply them, so that they refused the only thing for which, apparently, the privilege had been granted them.

1832. *Chairman.*] What description of traffic besides lighters on the Thames, is placed under the jurisdiction of the Watermen's Company?—All watermen are placed under their jurisdiction; no more.

1833. Are all wherries under their jurisdiction?—All wherries, and all watermen serving on the river Thames. No man can command one of those small river steamers except he is a member of the Watermen's Company. The whole navigation of the river within their limits must be carried on by men licensed by them. If a boat passes through their whole limits but does not stop within them, but is bound to a port beyond the district, then any man may navigate her, so that for 30 or 40 miles of the most difficult navigation, the owners own men may navigate a barge or vessel; but for half a mile within that district he must not do so.

1834. I suppose they do not think that a power of that description would be well vested in any authority?—Certainly not. I think the navigation of the river under certain restrictions ought to be thrown as open on the Thames as it is on any other river in the kingdom.

1835. Then do you think that this Act of Parliament belongs rather to the dark ages than to the period at which we think we have arrived at wiser notions of commercial legislation?—Yes, certainly.

1836. Do you know anything as to the regulation of the Sunday ferries on the Thames?—No; I only know that the Watermen's Company have power to license certain portions of the watermen for traffic on Sunday across the river, and those powers, I think, are retained by them in the new Act.

1837. Sir *John Hanmer.*] This old right, I suppose, is valuable to the Watermen's Company?—They have the means of granting pensions; in fact they are very like one of the old London trade companies, and I think if the trade of the river was thrown open, the Watermen's Company could still remain as a charitable body, and administer their charities with the property they have got, in the same way as the Fishmonger's Company or any other City company is retained.

1838. What property have they?—I do not exactly know, but I believe they have large property.

1839. Have the Conservancy Board any control over them?—By the new Act, their bye-laws must be approved by the Conservancy Board, but, to show the objection there is to such regulations, by the Act, it is not clear whether one man alone will suffice in a barge; one clause says, "That no barge shall be navigated without the man in charge being a licensed waterman." The persons who are opposed to this Act argued that, therefore, all but the one in charge might be non-licensed watermen; but another clause states that no man shall navigate any vessel, barge, or boat on the Thames, in any way, unless he is a licensed waterman.

1840. Which is the last of those two clauses?—I think, the last I have mentioned; the parties who were interested applied to the Conservancy Board, and said, "Do not you sanction a bye-law which obliges all to be licensed watermen; we consider, by this clause, that one is sufficient." We said, that it was evidently a doubtful point; the free parties urged us on one side, and the Watermen's Company, on the other side, said, "We will stand by our clause." The result was, that in wording the bye-law about the two men in the barge, we so worded it that they should be qualified by law, leaving them to fight out what was being qualified by law. The judge refused to put it in that uncertain way, because he thought, by the Act, both must be licensed men; therefore, he said, "You must add the words, 'licensed by the Watermen's Company.'" Then we brought an ill-feeling against us by having so worded our clause, because they said, "You are taking the most stringent view, and taking the part of those who monopolise the trade." In consequence of that, we got the judge to allow it to be altered, so that two competent men should be in the barge, without saying how they should be licensed, leaving the parties themselves to fight out this clause if they thought proper.

1841. *Chairman.*] Then I collect from your evidence upon this subject, that being of opinion that many powers are vested in the Watermen's Company which are quite unsuited to the spirit of modern legislation, you think that all the powers which would be necessary for regulating the regulation of the river would be better transferred to the Conservancy Board?—I think so; I believe the promoters of the

the amended Bill, that is, the Bill that was intended to do away with the Watermen's Act, were quite willing to agree to a plan by which certain control would be obtained over the watermen, much in the same way in which control is now exercised over cabmen; so far as this, that a man owning barge property should have the right to employ his own men; but that, to order to prevent men who had been dismissed for misconduct or bad character getting into employment, a register should be kept, and a license given to every man for a nominal fee by the Conservancy Board, leaving the employment of these men perfectly optional to the barge owner; but that on the complaint of a barge owner, and on the conviction of one of these men before a magistrate being proved, to prevent his getting employment with others, we should have power to suspend the license which had been given him, in the same way as a cabman's license is suspended; and I think that control would be quite sufficient over the man, while it would leave the employment free in the hands of the owners of property.

1842. Mr. *Cave.*] There is no such provision in the Act of 1857, is there?—No; because the parties who endeavoured to get the monopoly done away with entirely failed, and all they succeeded in getting was a slight amendment on one or two points of the Act; almost the full powers under the monopoly are still retained by the Watermen's Company.

1843. Mr. *Ewart.*] Under what conditions do these men obtain their freedom?—Serving apprenticeship, I think, and, in some cases, a certain time at sea is allowed to count, if I recollect right, but I am not sure about that.

1844. Do they obtain it by birthright; have they any privilege of that kind?—I think not; I think they must be employed as apprentices by a freeman or the widow of a freeman, that was until that Bill passed, and when that Bill passed, the owners of barge property might employ apprentices of their own, and after certain service of those apprentices, they are entitled also to a license, the same as if they had all served under a freeman.

1845. Are there a sufficient number of these freemen to navigate these barges?—It was stated, at the time, by the promoters of the amended Bill, that they were not near enough, so much so, that they got a clause put in that when they had tried to get a waterman, a licensed man, and failed, within a reasonable time, they might then employ others; and, in some cases, they have done so, and there have been disputes in consequence as to whether they had waited a reasonable time or had made proper attempts to get a licensed waterman.

1846. Have they fixed wages, or are the wages always the same?—I think the wages have increased of late years with the trade; I suppose the demand has increased without there being any increased supply.

1847. Are the wages higher than the usual rate of wages in consequence of their privileges?—That I cannot say.

1848. *Chairman.*] Are the wages fixed by the Watermen's Company?—I think not.

1849. Mr. *Longfield.*] Is it a rule of the Watermen's Company always to have a certain number, whether they are lame, maimed, halt, or blind?—I think not; if they did not employ competent persons, their privileges would be taken away.

1850. Is there any rule which requires that licensed watermen should be competent men, or are they merely licensed to prey upon the public?—They must serve a certain time on the river.

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1851. Have there not been complaints of these men?—There were serious complaints made by the parties who tried to throw the matter open, that they had suffered inconvenience from these men.

1852. Are they not chartered incumberers of the navigation, in point of fact?—I think so.

1853. Do you in principle see any difference between these chartered watermen and the regulation as to pilots and other craftsmen?—Yes; there is a great difference in principle under the present state of the pilotage laws, because they have been very much relaxed lately, and hardly any man now need be compelled to take a pilot.

1854. In truth, one is the abuse of a principle, and the other is the healthy exercise of it, is it not so?—I think there is an abuse in both, only one is very much modified, and the other is not yet relaxed.

1855. Is it not pushing a useful principle to an extreme?—Yes; I think so, to a very great extreme.

1856. Mr. Alderman *Salomons.*] Have there not been some complaints with regard to the watermen below bridge, that they have interfered with the carrying on of the pilotage?—There has been a system of watermen piloting the colliers and small vessels, not as pilots, but employed nominally with their boat to aid the vessel going up, in reality, piloting her on the one hand, that is, a direct infringement of the right of the pilots by law; on the other hand, these men who take them, are not bonnd by law to take pilots, they might pilot their own vessels; but to settle that point, the Trinity House, partly at the suggestion of the Board of Trade some few years ago, agreed to license a large number of these watermen as additional pilots, so as to enable them legally to take charge of the ships; and a large number of persons are making a very good living through that relaxation of the old law.

1857. What is the rule you adopt with a view of giving these men licenses?—The Trinity House have entire control of that, they license as many as they think proper in the river; they only license them above Gravesend.

1858. Then if we were to contemplate throwing the trade open as you suggest, agreeable to modern usage, do not you think it would be fair to consider the question of pilotage in connexion with the watermen?—I think you must keep that question of the Watermen's Company quite distinct from the pilotage and the Trinity House question, they have no actual connexion with each other. The question of the pilotage, which has been gone largely into before a Committee of the House of Commons two or three years ago, and which has been recently legislated upon, is quite a distinct one, and although there is a great difference of opinion still as to the state of the law as regards pilotage, I do not think that the Committee should let it bear upon this question.

1859. Then, would you leave a large owner to employ any men he liked, and have a shipowner bound to take a Trinity House pilot?—I beg your pardon, we do not do so; every collier in England can come up the Thames, and the

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master or mate, if the owner chooses, may bring her up or down; he is not bound to employ any pilot whatever.

1860. Then, could he employ one of these watermen below bridge, if he liked?—If he does do so, he does it voluntarily; there is no compulsory pilotage for home, only for foreign going vessels.

1861. Is there not some altercation even now with regard to the extent to which a waterman on the Thames may be taken to the prejudice of the pilot?—Yes, the watermen who are licensed from Gravesend upwards, would like to have licenses to go outside, into the jurisdiction of the outer pilots, but the Trinity House have objected to that; they consider that they have dealt very liberally with these men, particularly in giving them licenses to enable a very large number of them to pilot vessels in the river, and they object to their having jurisdiction further down the river. There is this to be considered, that these watermen are not all sailors; they have not had experience of ships at sea, and therefore a different training may be necessary for handling vessels through the intricate channels in the entrance of the Thames.

1862. Then, in your opinion, between Gravesend and the Pool, there is no restriction whatever upon any qualified waterman serving as a pilot on board any ship trading up the river?—I have always been in favour, myself, of perfectly free and voluntary pilotage everywhere.

1863. I was asking you as to the existing law?—The existing law enables a certain number of watermen, licensed by the Trinity House, to pilot vessels from Gravesend upwards, but men not so licensed certainly cannot do so.

1864. Then, in fact, at present a certain portion of the watermen, when licensed by the Trinity House, then act as pilot, but not otherwise?—Yes; I think that under any system that ought to be the case; I think if the whole pilotage was voluntary in every port, that the pilots should still be under some recognised body, and be under some control, and that every man who chose to go and pilot a vessel should not be at liberty to do so.

1865. If Parliament were to consider the propriety of altering the relation of these Thames watermen to the river, you think that would be desirable as to barges; but do you think it would be desirable to give them the same privileges as to bringing ships up?—No; I do not think it would do to alter the Trinity House jurisdiction over the pilots in the river; I would still leave the jurisdiction of the Thames under the Trinity House, and leave them to judge of the number of men that were required for the trade to allow men to earn a fair annual income, in order to induce respectable men to act as pilots, and not throw it open altogether to the trade.

1866. On what ground would you so limit it?—I think, having a body of men such as the pilots are, that it ought to be under some control, and we must have a body who have power over them who are judges as to their qualifications for pilotage in a district, and so have to offer sufficient inducements to a class of men to induce the most respectable to serve as pilots; if you throw the whole pilotage open, without any control, so that any man who called himself a pilot or a waterman might pilot a ship, you would have all classes doing it; the owner of the ship will not be sure, if his own master is not capable, that he is employing a capable, trustworthy man, and therefore I would have the pilots under a body answerable for the competency of the men entrusted to pilot ships, when the owner or the master required assistance beyond their own men.

1867. But admitting, as I do, questions of competency, why would you limit the number?—I think if you increase the number, you would very soon have more men than could earn a fair livelihood.

1868. Mr. *Lindsay*.] Would not the law of supply and demand regulate that, as it does everything else?—I do not know whether it would do so.

1869. What is your reason for doubting it?—I have thought a good deal on this subject, being anxious to throw the pilotage open as far as possible, and this is the conclusion I have come to, that I would leave the pilotage Boards to supply the number of qualified pilots that they consider necessary for the port.

1870. Then I understand you to say, that even if the system of pilotage was voluntary, you would still require that the parties who desired to act as pilots should undergo an examination and be registered?—Yes.

1871. But that you would limit the number?—I would leave that to the pilotage bodies. I would take for a guide those ports in which at present the pilotage is perfectly free. I would instance Cork, the Tyne, and the eastern ports of England; there the pilotage is perfectly free, a competent body of very respectable pilots is kept up, and I believe, in proportion to the trade, a very numerous body more than there are in many places where the pilotage is close. I think that works very well, if a man requires a pilot, he has a qualified one, and has to pay for it; but he is perfectly free to use that pilot or not as he likes.

1872. In reference to what you said with regard to the Watermen's Company, did I understand you to say that you desired the privilege they now possess to be abolished?—Yes, I would throw the waterman's trade on the river in barges and small craft open.

1873. Then, I understand you also, that the scheme which you just now shadowed forth, and which you would recommend Parliament to carry into effect, would be, to have a list of competent persons kept by the Conservators of the river; is that so?—Yes; that a man having satisfied himself of the qualifications of the bargeman he wanted to employ should, under the new law, apply to the Conservators for a license for that man, the Conservators would be satisfied with the owner's wish to employ him, as a proof of his deserving a license, and so, at first, all the men in the employ, or all the new men coming into the employment, would at once obtain a license, and then after that the men would retain the license, unless it was suspended, on conviction by a magistrate for misconduct; the selection would be entirely left to the employers themselves, with this safeguard for them, that if they applied in ignorance for a man who had been for misconduct suspended, the books of the Conservancy would show that.

1874. You would not propose to limit the number of men on the list, would you?—Not in any way.

1875. But you would say to the barge owner that he might employ whom he pleased, but with this

this condition, that he must be some person upon that list?—No. If an owner wanted to hire a new man to-morrow, and he had never been upon the list, he should have a license, upon the owner's selection of him; he should have the license in the same way as a cab-driver would obtain his on the application of his master, and I would object to none who had not been previously dismissed, or his license taken away from him for misconduct.

1876. Would you make any inquiry as to his capability?—Certainly not; I would leave the question of capability to the employer, as the owner of a vessel inquires into the capability of the master he employs in the coasting trade.

1877. Mr. *Ewart.*] Would you allow the pilot to pilot any other than the owners' barges?—This is quite foreign to pilotage; these men I allude to are on a footing with the master, mate, and crew of the vessel, not the pilot. There is another reason why it is very hard upon the owner that he should not be allowed to do so. A barge may have two or three hundred pounds' worth of property on board, for the safe conveyance of which he is responsible, but he must take a man who perhaps he has no confidence in instead of his own trustworthy men; yet if that property is lost, he is liable, and the Watermen's Company are not liable for their servant.

1878. Then he would get a license from this Board you allude to, to navigate his own barges?—Certainly; and as long as that license is not forfeited by misconduct, he can be employed by any other owner of a barge on the river anywhere: if he has left one employ, he can readily be taken into another, and in no case would he be rejected unless he were guilty of misconduct, which misconduct, I think, it would be better should be proved by a conviction before a magistrate, bye-laws having been first perhaps made for their guidance.

1879. Mr. Alderman *Salomons.*] You say he must take a man in whom he may have no confidence; will you explain that?—I say he may have to take a man.

1880. Did you not say he must?—I said he must take a man in whom he may have no confidence.

1881. But has he not the power of selection, if he has the whole registered watermen, which he would have, from your mode of registration?—I explained that in the first part of my evidence, that a large number of these men are excellent men, who get into the best employs on the river; but a certain number, and a considerable number, are not of a character to obtain this steady employ, and they hang about for this casual employment; and very often the owner of the barge has got his own good men to go in his barge, yet he can get no men but these men hanging about the public-houses, because they are licensed.

1882. Mr. *Ewart.*] If I understand you, when a man wants to have one of his own men licensed, he applies for it?—That is my proposal, that he might do so.

1883. Then the license is granted upon the statement of the owner, that he is satisfied with the man's qualification?—Yes.

1884. What I want to know is, when that man leaves the owner of the first barge, for which he got his license, will that license qualify him to navigate any other vessel?—I think it ought to do so, as long as he has not forfeited it by misconduct.

1885. Does the license state so?—There is no such license yet; this is only the proposal, or suggestion, which, of course, is open to modification as to any mode in which sufficient control might be kept over the conduct of the large body of watermen without keeping up the present monopoly.

1886. Mr. *Lindsay.*] Are not a number of these watermen very competent, from their knowledge, to act as river pilots?—I believe a great many are.

1887. Mr. *Cave.*] Do the Watermen's Company, or the Conservancy Board, control the steamers on the river, so as to prevent their being overcrowded?—The number of passengers carried, and the regulations bearing on the river steamers in that respect, are entirely under the Board of Trade, by the Merchants' Shipping Act of 1854. They are all licensed to carry a certain number only. The certificate is hung up on board, and upon any one informing against them for carrying an increased number, steps would be immediately taken to prosecute them by the Board of Trade for an infringement of the Act.

1888. Then the information must be conveyed to the Board of Trade, must it?—Yes.

1889. Then the Conservators have no business to interfere at all?—They can only report to the Board of Trade, as any individual can.

1890. Otherwise, they have no power?—They have no power.

1891. *Chairman.*] Nor has the Watermen's Company?—Nor the Watermen's Company.

1892. There is another authority, exercising very important functions in connexion with the river, of whom we have not yet spoken, namely, the Commissioners of Sewers and embankments—persons charged with the maintenance of these ancient walls and artificial embankments, which has been noticed by Captain Birstall. Have your duties, as conservator, ever brought you in connexion with these Commissioners?—No; the only thing I know in connexion with the river banks is, that we have power, by the Act, to call on the persons responsible for the banks to repair them; in several cases we have done so, and there has been a gradual improvement of late years in the banks below London, in which large works have been carried out, facing the banks with stone, and making very great improvements.

1893. On which side of the river?—On both sides of the river, as you go down, you will see great lengths of embankment beautifully faced with stone, instead of the old earthen embankments.

1894. Sir *John Hanmer.*] Has that been done by rates levied on the districts?—I suppose so.

1895. *Chairman.*] But you know nothing about that, you say?—No, I know nothing about the control exercised by those parties.

1896. Mr. *Longfield.*] You said that before you joined the Conservancy Board, you had a distaste for Boards in general?—Yes, my impression had always been that a Board was a bad working body, and that individual responsibility was the right thing.

1897. Was that impression derived from your experience of the Board of Trade?—No, for this reason: the Board of Trade, strange to say, is not a Board.

1898. What other Board, then, do you refer to?—I speak, in a great measure, from my experience of the Board of Admiralty. The Board

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of Trade, as I had occasion to explain before the Admiralty Committee, is not a Board; it is one responsible head, with heads of departments under him, responsible to him.

1899. Then the Conservancy Board both surprised and pleased you in its working?—I was agreeably surprised to find how well a Board could work.

1900. You have been asked about amending the constitution, by making it an elective body in some respects; are you of opinion that its police regulations could be enforced by an elective body, or, that an elective body should ever have control of the police?—I have not thought of that; I am not competent, I think, to answer that question.

1901. The duties of the Conservators are duties of police, very considerably, at least; would you not be then enforcing police regulations against the electors, if the members of the Board were elective?—We should be often brought into collision, and I instanced that very case the other day why I thought it was not desirable that the wharfingers should elect members to the Board, because they are specially the body with whom the Conservators are likely, occasionally, to come into collision in doing their duty to the public.

1902. Then do not you think that the independent element upon this Board is of considerable importance to enable it to do its duty impartially with regard to the public?—I think it has been so; at the same time, I think that the shipowners are so much interested in the river, and considering that they alone pay to the funds of the Board below bridge, that they would have a fair right if a Board was newly formed, to be represented upon it.

1903. Are there not police duties for which constituents are certainly not fitted?—I have not thought of the police duties in connexion with it. I cannot see why a Board, however formed, should not exercise its police duties, so far as having servants to see that its bye-laws are carried out, and when infringed, summon the offender before the magistrate of the district. I do not see why a Board should not do that as well as any other body.

1904. But as to the police question, as well as in connexion with the clearing out of the stream, licensing, wharves and piers, would it not be much better to have the body as it is now, entirely independent from wharfingers?—As to wharfingers, I said so distinctly.

1905. Or property owners?—As to the owners of property on the banks, it is with regard to them especially that we have to exercise such a rigid control. There are points that I have not yet mentioned to the Committee, such as the pipes from manufactories; we have to be very careful indeed how pipes run from wharves or dwellings into the river. They have been often made the channel of throwing filth into the river. On the other hand, we are obliged, in justice to the wharfingers where they want water from the river, to grant them suction-pipes.

1906. Upon the whole, do you think that the fact of the Board being an elective body in the whole or in part, would in any degree contribute either to its efficiency or popularity?—I do not think it could have possibly worked better than it has if they had been elected by any other parties; but I think on principle the shipowners, paying the taxes, might, if they wished it, have representatives on the Board.

1907. Do not the inhabitants of the metropolitan districts pay for the police?—Yes; I think indirectly the whole of the City members represent a great portion of the trade and commerce of London and the Thames, because they are the elected of an elective body, the constituency of which are the inhabitants of London, all of whom are interested in this very question; but I think the shipowners might expect to share in the direct representation.

1908. Then you think that the shipowners are the only parties?—I know no others, unless it were an interest above bridge; there are a few barge owners that have barges there, but there is no body there that you can well make representatives of. There is one point in connexion with the pilotage of the river, which I think a clause in the proposed Bill alludes to, and which I have not yet touched upon. I think the Committee will see the absolute importance of it is, as to the throwing ashes and refuse into the river.

1909. *Chairman.*] Do you mean from steamboats?—Yes; we have, by our law, only power to convict when the man throwing it is caught; the consequence is, that steamers coming in and having a large amount of ashes accumulated during their voyage, they will get rid of them rapidly by throwing them into the river to save loading them into lighters or at wharfs; you may have evidence of their throwing ashes out all the way they come, and it is the most injurious thing that can happen, and yet we have not the slightest power unless we can swear to the individual; neither the owner, the master, the pilot in charge, or any one is liable, and we asked in our Act, that where we had proof of its being done, the officer in command or in charge of the vessel should be responsible; I think, without that, it is quite impossible to stop the formation of ashes banks in the river, and in our dredging operations we have actually had to dredge away a bank of ashes.

1910. Mr. Alderman *Salomons.*] Where was that; do you remember?—I think, between this and Greenwich.

1911. In the Pool?—Below the Pool a little, I think.

1912. Sir *John Hanmer.*] Was not that a very old formation?—I suppose so; the ashes thrown over had formed a nucleus around which the mud is more likely to collect.

1913. Mr. Alderman *Salomons.*] Do you think anywhere between Yantlet Creek and Gravesend that there would be any mischief resulting from the throwing of ashes overboard?—Certainly; it is wrong in principle; I would not allow any inside the limits of the delta of the Thames at all, or its delta below Yantlet Creek.

1914. You would not allow it to be done between Gravesend and the Nore?—No; nor below the Nore, nor anywhere in the channel, because we know that there are an immense number of steamers coming in from sea.

1915. *Chairman.*] Bnt they are allowed to do it now are they not, except under restrictions that are of no avail?—Yes, in consequence of the flaw in our Act, they do it to an immense extent; we have no power to check it, and therefore we asked Parliament to give us power within our district, at least over the persons who sanction its being done.

1916. Mr. *Longfield.*] You allude to the 102nd section, I presume?—Yes.

1917. So that if the mate of a steamboat did it, or one of his inferior sailors, and you could not

not identify the person, neither the vessel nor the owner would be liable?—No, although the master is almost always on the paddle box, or on the bridge between the paddle boxes, and must see it done; we cannot get hold of them.

1918. The individual who commits the offence then, is the person who must suffer?—Yes, by the Act as it is at present; and that is one of the things that we wished Parliament to give us more power over.

1919. Mr. *Ewart.*] How do the steamers get rid of their ashes?—They are supposed to land them, and sell them.

1920. Are you aware that in other ports they throw the ashes into the river?—I should hope not; the Admiralty and the authorities ought to stop its being done, it is a serious objection every where, and certainly in most ports there are stringent regulations against it. I should hardly think there was a port in England where parties are not liable for doing it.

1921. Are you aware that in other ports they throw even the mud, which they dredge from the docks, into the river?—If they do the authorities in those ports must greatly neglect their duty. I would instance the case of the Mersey; every thing there depends upon keeping the channels outside free; all sediments of that kind are liable to be carried out by the ebb tide, and deposited in the channel outside, where it would be even more dangerous than it would inside.

1922. Is it not so at Liverpool?—At Liverpool, outside the dock in the anchorage, the ground is so bad and unsafe for ships at anchor, that great damage occurs if a gale of wind springs up before they get into the dock; it might possibly be thought that by throwing mud into the channel it might cause a better holding-ground, but I believe it would be swept out to the banks, and do an immense amount of injury.

1923. Mr. Alderman *Salomons.*] An Honourable Member has asked you some questions about the composition of a new Board, and I understood you to say that you would allow shipowners to elect and wharfingers not?—No.

1924. The Conservators do not own any ships, do they?—No; we have nothing to do with it.

1925. Then you do not compete with shipowners?—No.

1926. You own piers, do you not?—Yes; but I am not alluding to piers.

1927. But you do own piers, do you not?—Yes.

1928. Does not the owning of piers compete with wharfingers?—No, I believe not at all, because we only own piers for steamboat passenger traffic, and no wharf, that I am aware of at present, has steamboat passenger traffic; the only one that was cleared away at London Bridge with which we might possibly be said to compete was with the Fishmongers' Company, Mr. Thornton, and one or two others; but, with that exception, the piers on the river go to public landing places; for instance, the two at Westminster Bridge go to the stairs, the one at Hungerford Bridge goes to the stairs, and the one below Waterloo Bridge goes to the stairs.

1929. If you were allowed to put up cranes, as you propose by your Act, would not that interfere with the wharfingers?—If we put up cranes in the river on stages it would be for the benefit of the public, to enable steam colliers to be cleared more rapidly in the river, and so save a crowding of the tiers by sailing vessels. It is possible that that might prevent some vessels going to wharfs; but I think the coal traffic is so immense, and there is such a large traffic yet to be carried on from vessels lying at anchor in the river, that a very great amount of convenience for clearing colliers may be given in the stream of the river without in any way interfering with the wharf colliery trade.

1930. But if you were allowed to put up cranes at all, might you not put up cranes upon your piers?—It is utterly impossible; none of our piers that we have erected for passengers are fit to carry on a traffic by cranes, or to bear any heavy material upon them.

1931. But if you put up piers for landing passengers, why might you not put up piers for landing baggage?—We have never proposed it in the first place, and in the next place, we have only power in our Act to put up piers to a public stairs. These public stairs could not enable a colliery trade to be carried on by them. They are entirely wanted for the passengers; and it is quite impossible that any colliery trade could be carried on at any landing pier that we have power by our Act to put up.

1932. I did not say one word about colliers, but I said if you put up cranes, might you not land passengers, baggage, or heavy luggage?—We certainly have never had the slightest idea of it; and I question the power of putting up any cranes upon our passenger piers; at present, the passengers would certainly have power to take their luggage from the steamers over these piers; I suppose that is done to a very great extent with luggage not too heavy.

1933. To that extent, whatever luggage you land upon these piers, is it not an interference with the trade of the wharfingers?—No, I think not; because every passenger coming from Greenwich or Woolwich by the steamer to London with his trunk or carpet bag, landing at a public pier, by taking that luggage on shore, surely is not interfering with a private wharf; no man in such a position could go to land at a wharf, and if we gave him convenience for landing from the steamer, he may surely take his carpet-bag with him if he wishes.

1934. But might he not come from as far as Margate or Ramsgate?—They have a pier of their own, I believe; they do not use any of our piers.

1935. They might do so, I suppose?—They might, certainly.

1936. To that extent, then, is not every passenger landed with luggage an interference with the wharfingers?—No, I think not; I do not see why passengers coming that way would be at all likely to land at private wharves, they must go the public piers; the only cases to the contrary that I know of would be those of passengers coming by such steam-vessels as the Dublin and Leith steamers; they go to certain wharves, and land their luggage there; but our piers are not put up for that class of passenger at all.

1937. But, to the extent to which passengers' luggage would be landed at your piers, it is to that extent an interference with the trade of the wharfingers, is it not?—No, I think not; because the passengers who land at our piers, even if they bring luggage with them, are not passengers that would in any case land at the wharves; if a passenger coming by any steamer now running to one of our piers comes there

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with luggage, and is prevented from carrying it, he must come by railway, and so you would take away the traffic of the river altogether.

1938. What I mean is this: if you are landing any passengers' luggage, such as is landed from the Margate and Ramsgate steamers, do not you think that the parties interested and interfered with should be represented upon your Board quite as much as the shipowners?—I do not think any such interest is interfered with by any act of ours.

1939. *Chairman.*] You do not require any crane at all, do you?—Nothing of the kind. There is one point that I should wish not to leave unexplained: with reference to the change of the ballast, I was asked whether the ballasting vessels should not be transferred to the Board that has the control in the river, and I said I thought it should; but I wish it to be clearly understood that I did not mean that a monopoly of the ballasting as it now exists should be transferred to anybody. I think great care will be required in framing any scheme for arranging the ballastage, because I do not think the shipowners and people of London would wish that a monopoly should be again given to any ballastage authority. It would be a question whether the ballastage under the control of the Conservancy might not be thrown more open; whether private parties might not have license to dredge and supply ballast, as they do above bridge. All these are questions for consideration; I think they should be thoroughly considered in any scheme that might be framed, without making it a monopoly, and also that parties might be able to transfer ballast from one ship to another of their own or the ship of another owner, or even a ship bringing ballast into the river, and wishing to get rid of it, might sell it to another vessel alongside of her. I see no evil whatever in throwing it open, except one which has to be very well considered. The Trinity House has done a very great deal of good to the ballast-heavers; no body of men were in a worse condition, I believe, than they were until the Trinity House took it into their hands. The system of getting the ballast-heavers, as it was with regard to the coalheavers, at one time was in the hands of the publicans, who made them spend a certain amount of their earnings at the public-house. The Trinity House have greatly improved the condition of these men, and it is very desirable, if possible, in any change that may be made, to keep that point in view and endeavour to secure to these ballast-heavers as much protection as they have at present. It will be a difficult point with an open trade, but I think it is one that ought to be considered.

1940. Then, disapproving of the monopoly which is now exercised by the Trinity House, and not proposing to transfer that monopoly to any other body, are you prepared with any plan for managing the ballastage?—I have not drawn up any plan at present; but I think it would not be at all difficult to draw up a plan which should give satisfaction to the parties interested, and at the same time to make it better for the dredging of the river.

1941. Are you aware of the present condition of the ballast heavers?—I believe, through the Trinity House having taken the matter up, the condition of the large body of them is very good indeed. I believe a portion still remain under the publicans; but I think the large majority of them are now being brought under the Trinity House, and their condition very greatly improved.

1942. Mr. *Cave.*] Have you not heard complaints from shipowners, that the ballast-heavers employed by the Trinity House are not strong enough for their work?—No, I never have.

1943. *Chairman.*] Have you, on the contrary, heard that these men who are held in vassalage by the publicans, are inadequate to their work?—I have heard, more particularly with reference to the coal whippers, that they were an inferior class of men. There is one other point in connexion with what was said as to the advantage of public or private piers; I may mention that although we have allowed private piers to remain where they were good ones, when the Great Exhibition was about to open parties desired to put on additional steamers; another company, with very good steamers, proposed to give accommodation to parties going to the Great Exhibition, which would require them to land at Chelsea; but in consequence of that pier not belonging to the Conservators, but being a monopoly of the parties who had the steamers running to it, under some arrangement with the landowner, no additional traffic could be put on to that pier by another company, therefore we could not give the public the benefit of competition; had that pier been one of our own, we could have arranged with the new company to land at alternate times to the other company; so that it is for the public advantage that all landing piers should be under the Conservancy Board.

Mr. Charles Thorndike Tucker, called in; and Examined.

Mr. *C. T. Tucker.*

1944. *Chairman.*] You are, I believe, a Master in the Royal Navy, and Harbour Master, under the Conservancy Board?—Yes; I held a Commission as master, 27 years.

1945. When were you first appointed to your present office?—By the Lord Mayor, in 1854, under an Act of Parliament, 10 Geo. 4, c. 124.

1946. And you are continued in your office by the present Board?—Yes.

1947. Where were you first stationed?—At Limehouse, in the Upper Pool.

1948. Are you there now?—I am at Gravesend. I have been at Gravesend, in the lower district, for twelve months.

1949. Will you explain to the Committee the nature of your duties, as Harbour Master?—My duties in the Upper Pool, where I was first stationed, were to see that all the vessels that came into that important port, small vessels, generally, that came to the wharves and tiers to discharge, that the wharfingers had every facility given them for these vessels to come alongside, in order that there might be no difference of opinion as to one vessel being allowed to go in preference to the others; and also to see that all vessels were properly moored to their tiers, and by being so properly moored, the navigation was kept as free as practicable.

1950. The powers exercised by the harbour masters are described in the Act of Parliament, I believe?—They are.

1951. Have you the Act of Parliament by you?—I have not; I have our bye-laws.

1952. Have your duties, as harbour master, given

given you a fair opportunity of judging of the present state of the river, as compared with what it was under the old system of Conservation?—I think so.

1953. Do you consider that it is much improved?—Decidedly.

1954. In what respect?—The great improvements that have been made have been in the removal of shoals.

1955. Is the river bed considerably improved by the removal of shoals?—Most decidedly.

1956. Have some of the shoals, which were most obstructive to the navigation, been removed by the present Board?—They have. I remember the shoals at Ham Shelf, immediately abreast of Woolwich Dockyard, 30 years ago; I have landed on that Shoal, Ham Shelf. I have often seen vessels aground; that shoal has been removed, and there is free navigation now up to the Victoria and other docks.

1957. That was a laborious and expensive operation, was it not?—Certainly it was. I do not know the time it took, but I know it took some considerable time.

1958. What depth of water have you there, where that shoal formerly existed?—It was to be dredged to 14 feet.

1959. At low water?—At low water, the ordinary low spring tide.

1960. Are there many shoals which still remain to be removed?—There are other shoals that could be removed, and the Board will I believe in due time get them out of the way; they are lower down the river than Woolwich. There are many shoals above Woolwich which the Board have removed as well, those in my own immediate district, in the upper section, from Greenwich to London Bridge.

1961. Do you consider that the shoals which offered the greatest obstructions to the navigation in your district have been removed?—I think so. I know that the pilots used to be afraid to bring ships past Ham Shelf. Many ships were deterred from coming past it. I remember perfectly well that the pilots were always afraid at certain times of the tide, to bring a large ship past that narrow passage; there was not more than 300 feet between the hulks of Woolwich dockyard and Ham Shelf. Now the pilots can go up to the Victoria and other docks in comfort, and they know that when they go up there, if they should be so unfortunate, in consequence of the neap tides, not to get into the docks, they can make down again, although the tide began to fall, and get into deep water to anchor again.

1962. Has anything been done also with respect to the tiers?—Yes, the tiers near London Bridge have been deepened to 13 and 14 feet where vessels used to lie aground, not drawing more than seven or eight feet of water. Now they lie afloat at Horsleydown, and on the opposite side of the river, Tower tiers, being immediately abreast of the Tower, and St. Katherine's were dredged also, and one lower down at the Hermitage, close above the Wapping entrance to the London docks, where they had not more, if I remember rightly, than seven or eight feet of water at the low springs. That has been dredged, so that a vessel of 12 or 13 feet can lie down there without damage.

1963. I need scarcely ask you whether that is an important improvement in the navigation?—It is a decided improvement.

1964. What has the Conservancy Board done with respect to the piers on the river?—They have removed the old tunnel pier. I think that was the first, if I remember rightly.

1965. Was that in a very bad state?—In a shocking state; most disgraceful.

1966. And unsafe?—Quite unsafe. I have seen persons tumble down there very often; they had only narrow planks just put together. No hand-rail to guide them across the dummies. In the remarkable year of 1851 the pier-master, manager of Tunnel pier, showed me his book, and told me as many as a million of persons embarked and disembarked there.

1967. That pier has been removed, you say?—It has.

1968. Has anything been substituted for it?—Yes; the pier erected by the Conservancy Board, a little higher up the river.

1969. Is that a good pier?—A very good and safe pier indeed, and in every way well adapted to suit the position.

1970. Elsewhere have the old piers been removed, and better constructions substituted?—Those immediately above London Bridge.

1971. Are you acquainted with that part of the river?—Yes, I know the part where those piers are, well.

1972. Do you happen to know anything about the pier by the Temple?—I know it, but I do not know so much about that pier, it is out of my district. The pier itself is a good one, but the dummy is not a fit and proper one. Those immediately above London Bridge were quite under my own eye.

1973. Generally speaking, I understand that the Conservancy Board has been actively occupied in removing the old and objectionable piers, and in substituting piers of a more favourable construction, for the benefit of the public, is that so?—Certainly, a manifold improvement.

1974. Has anything been done with the moorings in the river?—Yes.

1975. What?—In dredging the collier tiers to deepen the water; those tiers at Ratcliffe-cross, and those on the north side of the river between London Docks, Shadwell, to Regent's Canal, below the stairs, and as far as the Regent's Canal, the moorings are put down to stones, as they are termed; the Conservators have deepened the channel there, so that vessels of 12 or 14 feet can lie afloat; it is carried to a uniform depth all the way down inside, close in the north shore, in order that the colliers when moored to those stones should be kept in as far out of the navigation as possible. During the winter months I found that at spring tides we could not moor these fourteen-feet vessels close in shore, so that we were obliged to have many of them kept down in the sections, not having, the coals being much needed for gas works, room for them inside the tiers, thereby lessening the quantity of coals in stock on shore in the tiers. That was the principal reason why the tiers were deepened, in order that those vessels might lie afloat, and that we might keep as many in the tiers as possible for the service required.

1976. Does the mud collect below the tiers?—It does sometimes. You will generally find at all the tiers there is a small collection of mud at the lower part; but where the water can run underneath them, you always find that they are much clearer.

1977. That mud is removed by dredging, I suppose?

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suppose?—Yes; it is always much clearer when there is a run of water underneath the keel.

1978. Generally speaking, has the river been very much improved by the Conservancy Board?—Yes; above Woolwich. Between there and Deptford, when the colliers came up, although they had got orders to anchor within 50 fathoms of the south shore, during the night, in hazy weather, formerly they used to let go their anchor anywhere. The Board have put down mooring buoys now, by which you can take five of these colliers at one time, and they can swing. All the colliers come up now directly, if required so to do, drop their anchors, haul their hawsers out, and make fast to the buoys; and while so made fast, they can swing in a line, which gives a greater amount of navigation outside them, for the large ships that come up the river for Victoria, East India, and several other docks.

1979. Do you consider that the river is under more efficient regulations now than it was under the former Board?—If the Committee will accept my 30 years' experience. One of my special duties in the Navy was, to examine and inquire into all obstructions from shoals, and report them, in order that they might be improved, for the better navigation; and I certainly think the Conservancy Board have done all that they could, as far as they have gone, with the means they have had. Probably, had they had more means, they might have done more.

1980. Considering the time during which they have been in office, and the means at their disposal, do you think they have exerted themselves in a manner which justifies public confidence?—Most certainly.

1981. Is there not some Light in the river under the care of the Conservancy Board?—Yes.

1982. What Light is that?—It is a light and beacon at Northfleet, and there is another beacon at Grays, to mark a dangerous shelf. This light at Northfleet is put up for the better navigation of the Gravesend Reach.

1983. I suppose it would not have been put up unless it was wanted?—No; it was wanted.

1984. Why did not the Trinity House put it up?—I cannot answer that question.

1985. You do not know whether any application was made to the Trinity House for that purpose?—I never heard.

1986. However, the Trinity House did not object to that exercise of authority on the part of the Conservancy Board?—I should think not, seeing that the Deputy Master and one of the Elder Brethren of the Trinity House were on the Board. Perhaps the Committee will permit me to say that the light and the beacon at Northfleet is one of the best things, coming into that important part of the port, that has been done. There was no positive law to keep the vessels inside a definite line; every man, pilot, and master had his own way of thinking that he was in his proper place; the harbour-masters had power to give them notice to move, it is true, but he could not be always at one spot; he had to attend to other vessels coming up the river, and then the tide may come out ebb, and you could not move the vessels, unless you could get a tug, and tugs are not always to be had. If you could not get a tug, the vessel must remain till the tide turned.

1987. Is the light to which you refer, a first-class light?—It is not a first-class light; it is a light sufficient for the anchorage ground.

1988. Where is the other light?—That is a beacon not a light; it is at West Thurrock; close to Grays.

1989. I suppose that is also within the jurisdiction of the Trinity House?—The Trinity House has a beacon, which is near the old pier, which was formerly at Grays; but the mark for that was Tilbury Church, which could not be distinctly seen in hazy weather, it was too far off.

1990. You are, of course, very well acquainted with the bye-laws of the Conservators?—Yes.

1991. Are measures taken strictly to enforce those bye-laws?—Yes; I think every officer has endeavoured to enforce the bye-laws which the Conservators have made.

1992. Are the regulations for that purpose well considered?—Yes; there is one in connexion with barges, which, I think, if I may offer an opinion, is really a very good one, that no barge above 50 tons should be navigated with only one man. I have often, until the law was altered, seen one man in a barge, and he might get his barge across the swell of the steamboat, and there it would remain. Under those circumstances he has not power, of himself, to put the barge straight. The swell comes over her, fills her, and down she goes; and then the steam-vessel is called to account.

1993. Did accidents of that kind frequently occur?—Yes, a great many happened in the Pool.

1994. And it was to prevent that that the original bye-law was framed?—The present one; the original one applied only to one man. The Board of Conservancy gave two, and by having two they can of course keep more clear of danger than one man possibly could.

1995. Do you consider it desirable that the entire management of the river should be placed in the same hands. We find that the Trinity House, for instance, exercises some jurisdiction over the river, both in regard to ballastage and buoyage, and beaconage?—Ballastage is the only one that I am aware of, and they do put beacons at various points.

1996. Would you consider that that authority of the Trinity House should be vested in the Conservancy Board?—That is a very delicate question. I have no doubt that the Conservancy Board, as it is constituted, with the scientific men that they have upon it, and with the members of the Trinity Board, also three gentlemen who had been solicited to fill the active and responsible duties as chairman of Old Board, viz. Thorp, Turnby, Rathbone, upon it as well, if it was thought desirable, those beacons could be attended to by the Conservancy Board.

1997. Do you find that the Conservators have discharged their duties with great energy and great success?—Yes.

1998. Do you ever hear complaints of the manner in which they have performed their duties?—No; as far as the public officers are concerned, certainly not. I think the Conservancy Board have done a great deal to remove obstructions on the river, and to give greater facilities to the navigation.

1999. You have not heard of any complaints of their authority being exercised with rigour and indiscretion?—No, I have not.

2000. Do you think that any such complaints would be well founded, as far as your knowledge goes?—I think not; certainly not.

2001. Mr. Alderman *Salomons.*] I believe you were

were appointed by the Lord Mayor before the present Board of Conservancy was constituted?—Yes, in 1854.

2002. Therefore, you can fairly compare the state of the river before the Conservancy Board was appointed, with what it is now?—I have no means of judging, except from the present effect, from my previous knowledge of the river.

2003. Has not the business of the Conservancy been greatly facilitated by the settlement of the suit between the Corporation of London and the Crown, as to the bed and soil of the river?—I should say so.

2004. If there was a dispute as to the bed and soil of the river, would not that affect shoals and other matters connected with the river?—It would, very probably, do so.

2005. Therefore, the settlement of the dispute between the Crown and the Corporation of London and the Conservancy Board, in fact, has enabled the present Board to do more than the last Board could do?—Certainly, they have done more than the last Board could do. I believe that, although I have no positive authority for saying so.

2006. Mr. *Longfield.*] Do your duties as harbour-master require you to be constantly upon the river?—Yes.

2007. Will you just explain to me your day's routine of business as harbour-master?—I cannot explain any routine, because I have no routine. My duties call me at all times to all places.

2008. You go out upon the river in the morning, for instance?—Yes.

2009. What do you then do: do you visit various vessels?—Are you alluding now to my first station in the Upper Pool?

2010. In the Upper and Lower Pool generally?—In the Lower Pool the harbour-master is obliged to be out at no stated time, because the tides must be watched; he is required to see the vessels are moored when he can be present. If these vessels were not moored, there would be an obstruction to the navigation, because the navigation in the lower part of the Pool is very narrow.

2011. Do you personally superintend, as the tide requires, the passenger vessels up and down?—Exactly so, to see that everything is kept as clear as practicable.

2012. If any accidents occur, do you report them to the Board?—Immediately, and take such steps as may be necessary, awaiting the Board's pleasure.

2013. Do you make weekly or any periodical reports to the Board?—Monthly returns to Conservancy Board.

2014. Are you in communication with the Board; for instance, giving them suggestions as to moorings, shoals, lights, or anything of that sort?—The Board has ordered that whenever any obstruction is observed by the harbour-master, he is to report it immediately.

2015. You are upon the river every day, are you not, in the discharge of your duties?—Yes.

2016. Are you required to be out at night?—I am very often out at night.

2017. How many men have you employed under you?—At Gravesend I have four men.

2018. Have you any barges to command, or any steamer?—I have two boats and a very small vessel with a deck; so that, when it is blowing hard, I may be able to go down the river in case of wrecks. We have a good many wrecks in the lower district, and I am better able to view them in the cutter than I should be in an open boat.

2019. What do these wrecks arise from?—I think lately they have increased by the bad management or bad look-out of the screw vessels; for as to almost every wreck you hear of, when it is asked who did it, the answer is, "the screw."

2020. Are they deficient in steerage-way then, or what?—The screw vessels will not always answer their helm in narrow waters or channels. I have never served in one, although I have watched them narrowly; and I find that when a screw vessel comes into shallow water and wants to stop, if the tide gets her on either bow, she will pay off; nothing could stop her, and hence these accidents. It is not so with paddlewheels; they can recover themselves.

2021. Mr. Alderman *Salomons.*] Is that the case in shallow water as well as deep water?—Yes; the shallower the water, the worse it is, alluding to screws in shallow water; in deep water, screws answer their helm

2022. Mr. *Longfield*] Your personal attention is much required, then?—Yes, particularly in Gravesend Reach; it requires immense attention there, in order to see that pilots should conform to the rule which the Conservancy Board has laid down. I think it is one of the best rules we have had in that part of the river, and that is, to make every vessel come within a given distance of south shore (nearer the town), so that they should be nearly halfway between either side of the river; and in so doing, all large vessels are then enabled to navigate with more certainty. If they anchor within this line, not outside the line that is defined by the Northfleet Light and the very tall chimney, that well defines the line of anchorage and gives plenty of room for all the vessels, the large vessels particularly, that are obliged to heave-to for the Customs; and if they cannot get round again, it causes great detention, and loss of a day getting into the docks.

2023. Do you think that these navigation rules are useful for the public, generally?—Certainly.

2024. Do you see that they are strictly adhered to?—I do.

2025. Do the Conservancy Board give you as much assistance as you require, in the shape of subordinates?—Yes; I have as many under me as I desire.

2026. From your knowledge of the river, do you consider that the Conservancy Board has performed that part of their duties efficiently?—Certainly, I think that is one of the greatest improvements which they have made in that part of the river.

2027. Mr. *Ewart.*] Have you anything to do with surveying the river?—No, except where it is necessary to remove a shoal, and then we have orders to take soundings. I should do that without instructions, and report to the Board immediately.

2028. When you were alluding to the screw steamers just now, you said that they were not so easily managed: does that refer more to the stopping them or the steering?—It is this, that when these screw vessels come up, they cannot manage them so well in shallow water.

2029. You say that they will not stop so soon as the paddlewheel boats?—No.

2030. Do not they answer the helm as well?—No, they do not in shallow water, but in deep water

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water they do; many do not, it depends on the vessel. One will answer her starboard helm better, and *vice versâ*; it depends upon the screw she is driven by.

2031. Does that remark apply generally to screw steamers?—I think so.

2032. Mr. Alderman *Salomons.*] Are they affected by narrow channels?—Yes, more than anything.

2033. And by shallow water?—Yes; any vessel in shallow water, screw or paddlewheel, will not answer the helm so well as in deep.

2034. Mr. *Lindsay.*] Do you mean that a screw does not answer her helm so well as a paddle steamer?—I do not think it does in shallow water.

2035. What are the limits of your jurisdiction as harbour-master?—From Grays to Yantlet Creek.

2036. Have you an office of your own contiguous to the river?—I have one close to the river.

2037. Is that your head-quarters?—Yes; I reside in the office.

2038. In what part is that situated?—Close to the Custom House; close to the Terrace Pier at Gravesend.

2039. What are your duties, generally, as harbour-master; have you to see to the moorings of the vessels in the tiers, when they come into the river?—Yes, to see that they are moored. The harbour-master, of course, cannot be present to see every vessel moored, but he will see that they are properly moored. Directions are given them where to moor; and if they do not take up those moorings, it is the duty of the harbour-master to have them properly secured immediately.

2040. Are all the buoys in the river under your control?—No; the Central District harbour-master will tell the Committee the benefit derived from the buoys in Bugsby's Hole and Galleons. By putting these buoys down, we can relieve the navigation of the river of 55 or 60 colliers. Before that, they were anchoring almost anywhere, although their orders were to anchor in certain sections within 50 fathoms of the shore. No. 1 Section. Bugsby, between Blackwall and Charlton—No. 2 Section. Galleons, below Woolwich Arsenal. No. 1 formerly held 75 colliers at their own anchors, now there are 100 moored to these buoys. No. 2, formerly 15 in the same way, now there are 45.

2041. Under whose charge are these buoys?—Under the harbour-master of the Central District.

2042. But are they under the charge of the Conservators?—Yes; they are the Conservators' buoys.

2043. Are all the buoys in the river under the charge of the Conservancy Board?—I do not think we have any private buoys now; there were some under the old Navigation Committee.

2044. I think I understood you to say, in answer to a question, that you had to see that the pilots conformed to the Regulations?—Yes.

2045. The pilots are not under your control, are they?—No; only in this way, that the Trinity Board, to whom they are subject, in one of their bye-laws (Trinity Bye-law regulating pilots) say, that they are to obey the orders of the harbour-master.

2046. Although they are not your servants, then, they are still bound to obey your orders?—Yes; the harbour-master is to be the judge, and not the pilot, of the position for anchoring, *vide* 22d Bye-law, Thames Conservancy. For instance, since I have been at Gravesend, it has been necessary; for I have been obliged to speak to several pilots and, unfortunately, to have one punished. When I say punished, he was fined.

2047. Have you found it to be the case that when it was necessary to make representations to the Conservancy Board in regard to the conduct of pilots, that those representations have received prompt attention?—Yes, certainly, immediate attention; so much so, that in that case when I reported to the Conservancy Board (it happened to be Board day) the vessel was going to sea, the Board sent a telegram down immediately that I was to take out a summons.

2048. Then is it the case that, practically, the pilots are as much under your control as if they had been appointed by the Conservators?—Certainly not; they are only under my control in this way, that they must bring their ships to a proper anchorage, which is here laid down by law. If they anchor at any improper place, it is the duty of the harbour-master to remove the ship.

2049. Do you find no conflict from the fact of your having the control of men appointed by the Trinity House?—No; on the contrary, I find that many pilots are glad that I have taken the steps which I have done. They see the necessity of it; for if one vessel will anchor out of its proper ground, another will; hence the necessity of vessels coming up the river having a clear space in turning round this important anchorage.

2050. Do you think these pilots obey these instructions of yours as implicitly as if they were appointed by yourself, for instance?—I think so; I may say, generally, I seldom have to speak twice to a pilot. Sometimes it will happen, and it is not at all times that you can remove a ship when she is anchored; you must necessarily wait, and the cry of the pilot may be, "Oh, there is something in the way." My answer would be immediately, "If it is practicable to remove the ship, it is your duty, the pilot's duty, to do so within the limits that are prescribed for you."

2051. So that the pilots, in fact, are under two masters?—No, they are only under my direction in that way.

2052. They receive their appointment from the Trinity House, do they not?—Yes.

2053. And the Trinity House alone have power to remove them?—Only the Trinity House.

2054. *Chairman.*] They are only under your authority with respect to the navigation of the river?—That is all.

2055. Mr. *Lindsay.*] What control have you over the watermen plying on the river?—None.

2056. Do you think it would tend to the public interest if the watermen were in some way under your control as harbour-master?—It might do so, probably, on some occasions; but the Watermen's Company have now at each of the stations a superintendent appointed by the Watermen's Company to overlook these watermen, and to see that they do not use any undue authority or use any abusive language; and if they do, they report it at Watermen's Hall.

2057. I suppose it is the case that the water men ply under specific regulations?—Yes, under the Watermen's Company.

2058. If you at any time see these watermen violating

violating the rules laid down for their guidance, have you any power to remonstrate with them?—No.

2059. What course would you adopt?—If I saw anything very wrong, I should call the attention of the superintendent to the fact.

2060. Have you ever had occasion to do so?—I have on three or four occasions in the Upper Pool.

2061. Have you found that the Watermen's Company have attended to those representations?—They have immediately; I mean, of course, at their next meeting, whenever that might be.

2062. Mr. *Hodgson.*] Is not the beaconage under the jurisdiction of the Trinity House now?—It is so.

2063. If it were not so, and you had to assign a jurisdiction for the management of the beacons, would you assign it to the Conservancy Board, or not?—To the Conservancy Board.

2064. You think that is the proper body that ought to have the control, unless it were already placed in other hands?—If it is placed in other hands, I think the Conservancy Board ought to have the control, because the Conservancy Board is now composed of admirals and captains from the Trinity House, and three gentlemen who were formerly chairmen of the Navigation Committee; and when our Act came into force, the Court of Common Council elected those gentlemen whom they conceived, I have no doubt, best qualified to undertake that responsibility.

2065. Has that selection, in your opinion, been a fortunate one?—I think it has, certainly; nothing could have worked better, if we may judge from the improvements.

2066. Do you think that the ballastage lighters would be well placed in the hands of the Conservancy Board; I mean the whole question of ballastage and the regulations appertaining to it, supposing you had to begin afresh, no other jurisdiction interfering?—Then I should give it to one Board certainly, one management.

2067. Would that Board be the Conservancy Board, or not?—Yes, certainly.

2068. In preference to any other?—In preference to any other. We have had a great many wrecks in the lower district of the river, as I said before, from these very screw steamers, and it is very odd that the wrecks have nearly always been occasioned by steam vessels.

2069. Mr. *Lindsay.*] Have these accidents arisen through bad steering on the part of these vessels?—Some that I have witnessed have been in this way, that the vessel shot too far a-head and could not recover herself; for instance, the last vessel that was sunk in the Lower Hope was at anchor, I think, not more than 30 fathoms from the shore; the screw steamer had passed Muckling Light eight to ten minutes; it was very hazy, she saw a barge, put her helm a-starboard in order to clear the barge to go to the eastward; she could not recover her helm again, and she went into the ship, a brig the "Sceptre," at anchor, a riding light hoisted, on the 17th February 1863, and sunk her, and three poor men were drowned.

2070. Do not these accidents arise from the great speed at which the steamers go?—I think that they do go at too great a speed in the narrow part of the river.

2071. Is any regulation given you to control that speed?—As to every vessel that we have any control over, there is a law laid down; but that is too far up the river.

2072. Then, have you no control over the steam vessels, with regard to the speed at which they are going on the river?—No, I have no control over that.

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2073. *Chairman.*] The matter is regulated, is it not?—That was intended to apply more above bridge than below.

2074. Mr. *Lindsay.*] Do you mean to say, I may instance the steamers of the Watermen's Company between London Bridge and Woolwich, that there is no control as to the speed at which they are allowed to proceed?—I think the Watermen's Company used to regulate the speed.

2075. Do you know whether there is any control over the speed of sea-going steamers when they come up or go down the river?—No, I think not.

2076. Do you think it would be advisable to control the speed of all steamers on the river?—Most certainly it would, within the Pool especially.

2077. With whom would you place that control?—It should be under one Board of Management.

2078. What management?—Under the Thames Conservancy Board.

2079. Do you think that that would tend to prevent many of these accidents which have happened?—I have no doubt in the world of it; vessels going at that speed cannot easily be stopped in the lower Pool.

2080. Sir *John Hanmer.*] Could that easily be done?—It could easily be done in the Pool; the only thing would be, that you would probably have the merchants and wharfingers crying out that they could not get their vessels up quick enough to discharge them in good time.

2081. *Chairman.*] I thought I understood you to say that one of the great causes of these wrecks in the river was, that the screw steamers did not answer well to their helm in shallow water?—A great many occur from want of a good look-out as well as from bad steerage; of course some will answer their helm well; it is not the case with all.

2082. But, generally speaking, it is the case with screw steamers in shallow water, they do not answer their helm so well as paddle-wheel steamers?—They do not.

2083. And you think that is one cause of the wrecks?—I think so, although in the cases that occur lower down in Sea Reach, where they have plenty of water, it is evidently from a bad look-out, or from want of answering their helm.

2084. Mr. *Lindsay.*] Have you any return of the number of vessels which have sunk in the river within your jurisdiction?—I think 35 have been sunk since the present Board have been in office. A return of vessels sunk has been handed in.

2085. Within what limits?—In the lower district, between Grays and Yantlet.

2086. With any loss of life?—Yes; but I cannot tell how many lives have been lost.

2087. Were those vessels sunk principally with collision?—Yes, all through collision.

2088. *Chairman.*] Are you speaking of vessels that have been sunk?—Yes.

2089. Sir *John Hanmer.*] How could you prove the rate at which a vessel was going?—That is a most difficult thing.

2090. I asked you just now whether it would be easy to regulate the speed, and you said yes?—It could be done by those on board the ship only.

2091. But suppose they did not choose to obey your orders?—Then I think it would be a very difficult thing, unless when she came within one

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spot, say the Chapman Light, and when she passed the Muckling, you were to keep detectives there to time them; you could then very well tell the speed at which they were going.

2092. Mr. *Lindsay.*] Could it not be done by making a regulation, that within certain limits, they should only proceed at half or three-quarter speed?—I think that would be a very good regulation.

2093. And if they were proceeding at a greater speed, and run down a vessel, they should be held responsible?—Yes, I think so.

2094. Would information be very easily received of the cause of such an accident as that, from the persons on board the ship; and could the speed at which they were going not be easily proved?—Not so easily, I apprehend.

2095. Do you see any insurmountable difficulty in the way of proving that fact?—I think there would be some difficulty.

2096. Do you think there would be any difficulty in proving whether they were going at full speed, or three-quarter speed, or half speed?—I do not think you can well come at that; you might get at the full speed from the way she was making through the water did you know her general rate of speed she was making from the screw, and the general velocity through the water.

2097. Could it not be proved by the number of revolutions which the engine makes per minute?—Yes, if you could get at that.

2098. Does not every engine indicate that?—It ought to do so, but then you throw yourself entirely on the engineer.

2099. Mr. *Longfield.*] I understand you to say that it would be difficult, but not impossible, to judge of the speed?—Not impossible, but you could only arrive at it from those on board the vessel.

2100. At all events, subject to the difficulty of proving that, it would be a very useful regulation, would it not?—It would.

2101. Mr. *Ewart.*] With a paddle-wheel steamer there would be no difficulty at all, would there, in ascertaining the difference between half speed and three-quarter speed?—I do not think you could tell the difference between half and three-quarter speed; at full speed I think you could tell.

2102. With a screw there would be a little difficulty, because you would not see the revolutions of the wheels?—Just so.

2103. Mr. *Lindsay.*] Do you think that if some such regulation as that which has been shadowed forth had been in operation, fewer vessels would have been sunk than have been?—I do think so.

2104. Mr. *Ewart.*] With regard to the wrecks that you have spoken of as caused by steamers, might they not possibly be owing to some bad management on the part of the sailing vessel or from being short-handed?—There can be no doubt of that; as to a great many of the wrecks there have been faults on both sides; that you must always look for.

2105. I thought your remarks seemed to imply that the fault was chiefly in the steamers?—Taking it generally, I do think so; I am sorry to say so.

2106. Mr. Alderman *Salomons.*] From what class of steam vessels do these accidents occur; were they heavy laden vessels?—Laden vessels; a light steamer is worse to answer the helm than a heavy one in a breeze; if the wind gets her on one bow, you cannot get her off at all straight in narrow waters.

2107. Would you have the same regulations with regard to speed with respect to a light passenger vessel and a laden vessel drawing a deal of water?—You cannot regulate it; it is a difficult thing to regulate speed in the river, but it would be advisable if it could be done.

2108. Do you think you could in fairness put the Woolwich and Gravesend steamers on the same footing with the Dublin steamer heavily laden with cargo?—No, and for this reason: I have often when on board the Woolwich steamers said to the captain, "Do you see that mark; stop her dead, will you?" and some have done it. These Woolwich steam vessels have been able to stop within one length and a half of their own vessel, or twice the length; heavily laden steamers would hold their way so much longer than the light draught Woolwich steamers.

2109. That shows that it would be impossible to lay down any fixed rule, if you could lay down any rule at all, does it not?—I do not think you could lay down any uniform rule, because these vessels carrying passengers would not be able to do their journeys as well as they do now, if we were to regulate the Woolwich boats at half speed.

2110. Are you not aware that some years ago there was an attempt made to regulate the speed of steam vessels through the Pool?—I heard so.

2111. And that it was abandoned?—I believe it was abandoned.

2112. Is it not just as likely that a vessel in putting her steam on, and putting out her speed, might get out of a difficulty as well as getting into one?—It is very often the case when they have got into a difficult position, if her full speed is put on it will give her way, and she will get clear of it.

2113. Then is it not likely, if vessels draw too much water in proportion to the depth of the river, and perhaps are not so well handled as they ought to be, that accidents do occur?—I do not think that we can well go into that; I think it would be rather too sweeping to say that all the vessels are not well handled.

2114. Sir *John Hanmer.*] If you were to undertake to regulate the speed of vessels, you would prevent their putting on steam in order to get out of the way?—When you come into the narrow part of the river you ought to do so; when you have a broad expanse of water, of course there is more room for the vessel, and she can go her speed with safety, but when you come into the Pool, I do not think it is safe to go at the speed they do.

2115. What do they do, in point of fact, now?—Some come up as fast as they can, in order to cut out the others; you will see that in the same way as you will see carts driving along if they are both going to market, the one trying to get before the other; in point of fact, each wants to get alongside the wharf first.

2116. Mr. Alderman *Salomons.*] Is not that sometimes done in order to save the tide up?—Yes, that is the difficulty; when a vessel has to save her tide, she will naturally make the best of her way; but when the steamers come into the Pool, they ought to know full well that they endanger a great many boats, barges, and small craft, by the speed at which they go. I am speaking now of the large paddle-wheel steamers that

that throw up so much water coming through the Pool when the water is low.

2117. If we limit their speed, I suppose we lengthen the voyage; that is it, is it not?—Certainly; but only through the Pool in this instance.

2118. And, of course, that affects the price of goods?—It might at times do so, not always; because very often they are obliged to stop below for want of water.

2119. Are you aware of some recent regulations, that steamboats are to deliver their goods immediately, and go away again?—I have heard something of it, but I do not know sufficient of it to speak of it.

2120. Mr. *Longfield.*] Have the accidents that have occurred been caused by the heavy steam-going steamers, or by the passenger boats?—By the heavy ones.

2121. Do the small passenger boats answer the helm very easily?—Yes, very easily, I think; the Watermen's Company's boats I mean. I have seen a great many of them in my time, and, I think, there are no passenger boats better handled or better navigated than they are; you would be surprised to see the facility with which they go alongside the new piers which the Conservators have made, and the ease with which they come away from them. It is naturally a work of time for a man to acquire that knowledge. No persons can conduct their vessels better than they do. I must say that, in due praise to the watermen who have charge of these vessels.

2122. If it is the heavy sea-going steamers that cause the accidents, do you think it would be useful to have power to limit the rate at which they go, although you might not be able to lay down a uniform rule?—I do; in many cases it would save accident.

2123. Sir *John Hanmer.*] Are the waterways and channels in the Thames capable of being widened much by dredging?—There may, perhaps, be one or two little points that might be widened, but taking the river generally, certainly not; you could not do it; it would only be taking off a slice from a point to give a fair run of tide, that is all that could be done.

2124. Then, by the extension of dredging, you do not expect to make much more room for ships in the river?—Only at those parts where they contemplate mooring.

2125. Mr. Alderman *Salomons.*] You spoke some time ago of the great improvements in the river made by the Conservancy Board at Gravesend Reach with regard to the light or beacon; were those improvements at all influenced by the removal of shoals?—Oh, no; that was expressly for the anchorage; the light at Northfleet is a beacon as well as a light, with a tall chimney 200 or 300 feet high; it is a mark by which ships are to anchor.

2126. Were there any shoals removed from that Reach also?—No; there were none in that Reach to remove.

2127. Mr. *W. Cubitt.*] Has the coal trade much increased since you have been in your present office, in the number of ships bringing up coals?—No; the sailing colliers have rather decreased, on account of the number of these large screw steamers. A few years ago, the screw colliers were not more than 500 tons, now they are probably more than double that tonnage.

2128. Then the tonnage has increased, but the number of vessels have diminished?—Yes.

2129. Then the tonnage has increased, has it not?—I believe it has, if you may judge from the number of ships; altogether, the increase is, from 22,000 ships to 33,060; in 1821, 22,000 ships entered the Port of London; in 1857, 33,000 nearly.

2130. Is there plenty of tier accommodation now for the colliers?—Yes, ample.

2131. Has that accommodation been increased during your time?—The accommodation has been greatly increased; they have taken tiers away to accommodate these screw vessels, where small sailing vessels, colliers, formerly laid; the screw vessels will come up to-day and be off to-morrow night; they are continually coming and going; they bring a greater quantity of coals; we find there are not so many sailing colliers as there were.

2132. I think you said you were in the Royal Navy before you entered your present office?—Yes, I served my time for 30 odd years there; and I hold a commission as Master in the Royal Navy 27 years.

2133. But you never were in a screw steamer, you say?—No, I never served in a screw; but I have served in paddle-wheel men-of-war.

2134. In reference to what you said about a screw not answering her helm, have you seen any of those vessels that have been rigged out with two screws, lately?—I saw one on trial the other day, when I was down in Sea Reach, 2d May 1863, in the steam-vessel belonging to the Conservators with our committee.

2135. Do you agree in the report that they had much greater power by that means?—I have not seen the report, but I witnessed the beautiful movements of the vessel in going round almost in her own length; it was something wonderful.

2136. You have spoken of the speed of steamers; has not the Watermen's Company some power in regulating their speed?—They have, but I am not prepared to say what that speed is; they will be able to give that.

2137. Do you know to what extent their power goes, whether it extends all the way down the river, or not?—They do not go below, just below, Gravesend. Lower Hope Point is the extension of the control by the Watermen's Company.

2138. Have they jurisdiction, with regard to regulating speed, as low as Gravesend?—I do not think they have, as low down as that. I think only in the Pool.

2139. *Chairman.*] It extends to Lower Hope Point, does it not?—Yes, I think so; that is just below Gravesend.

2140. You mentioned that somewhere about 30 vessels had been sunk within the last five years?—Thirty-five since the Conservators have been in power.

2141. Do you attribute those casualties chiefly to the screw steamers?—I said just now, from the report that was always brought, to us the accidents have been occasioned through screw steamers.

2142 Could you put in a list of those vessels which have been sunk, together with the ascribed cause?—No, I could not do that; but I could give the names of those that have been sunk.

2143. The imputed cause you could not give?—No, I could not.

2144. What is your duty when you are informed

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formed that a ship has been sunk in the river?—Immediately to put a vessel to watch over the wreck, or, as nearly as it is possible to do so, and to hoist a wreck flag, with the word "Conservancy" upon it, and at night to hoist two lights horizontally, 10 or 12 feet from the deck; that is to caution all vessels coming up and down, that there is a wreck in that vicinity.

2145. Then do you immediately undertake the duty of removing the wreck?—No; the Conservators go into that themselves. I have nothing to do but to report the supposed cause to the Conservators, the position in which the wreck lies, and the depth of water.

2146. Do the Conservancy Board then undertake the duty of removing the wreck, if it be necessary?—The Conservancy Board, I believe, only remove the wreck when the captain or owners have abandoned her, as was the case with one last November.

2147. Sir *John Hanmer.*] Is the case of a wreck reported to you when it happens?—Yes, and I immediately forward it to the Board of Conservancy.

2148. Mr. *Cave.*] If the vessel is insured, I suppose the underwriters remove her?—I suppose so; or those on whom the loss falls.

2149. I want you to define the half and three-quarters speed, and full speed; of course it varies according to the rate of speed of different vessels, does it not?—Certainly.

2150. Then if you make any regulation that a vessel should only go at half or three-quarter speed, the half speed of one vessel might be as fast as the full speed of another, might it not?—It might so.

2151. Would not that be a fresh difficulty in regulating the speed?—That would be so.

2152. With regard to the power of the Conservancy over steamers, I think the bye-laws only regulate the speed above Teddington Lock?—That is all.

2153. That I suppose is to prevent the banks being washed away?—Yes.

2154. You were the harbour-master in the London Pool, I think?—Yes.

2155. There is no harbour-master above bridge, I think?—No.

2156. How is the river regulated above bridge?—The Conservators have appointed persons to look to that; one harbour-master will go up as far as Nine Elms merely to look at the banks, but there is no one to regulate the harbour above bridge generally, with the exception of the engineer and the officers appointed by the Board to look to all the necessary things required; for instance, there is not so much doing above bridge as there is below to require anyone there.

2157. I think you say you have no experience with regard to the Temple Pier?—No, not much.

2158. You know the pier at the Isle of Dogs; that is in your district, is it not?—Yes.

2159. Does that offer any obstacle to the navigation of the river?—It offers no other obstacle than any pier will naturally do.

2160. Have there been any accidents there?—I have heard of only one; I think that was a barge; I have left that station since it occurred.

2161. You mentioned that a barge of above 50 tons was not allowed to be navigated by one man?—Yes; by our 23d bye-law, viz., barges above 50 tons burthen shall have at least two able and skilful persons (for the management thereof) duly authorised by the Trinity House, or Watermen's Company, or in the employ of Conservators.

2162. Have there not often been obstacles caused by barges below that tonnage being navigated by one man?—I think not.

2163. Have you heard no such complaints?—No; I think those could be managed pretty well by one man.

2164. I see, by your 42d bye-law, that passengers are not allowed to embark or disembark while the engines are moving?—Yes.

2165. Is it your business if you see anything of that sort to stop it?—If I saw anything of the kind I should report it to the Board.

2166. If you saw a steamer overcrowded, what should you do?—I have no control over that whatever.

2167. Would you not think it your duty to report it to the Board of Trade?—No, I should not; they have their own officers to watch these proceedings, and, very probably, the very vessel I might see overcrowded, they might have taken steps to bring the parties before a justice at the same time.

2168. Upon what principle should the overcrowding of vessels be under one authority, and the embarking or disembarking while the engines are moving under another; neither interferes with the navigation of the river, but both rules are intended for the safety of the public, are they not?—Yes.

2169. Why should one be under one authority, and the other under another; can you give the Committee any reason?—No.

2170. Do you think it would be a good thing if the overcrowding should be under the Conservancy Board, as well as the landing and embarking while the engines are moving?—You might put that under the Conservancy Board, the same as you would all others.

2171. Practically, do you think that it would stop the overcrowding more than is the case now?—I do not know that it would, unless you had a turnstile for each boat, and I think that would be very difficult.

2172. Do you see any practical inconvenience in your not having any control over the watermen?—There have been times when, if the harbour-master could have had control over the watermen, he might have stopped many abuses on the river.

2173. You gave an opinion just now about the constitution of a Board for the management of the river; if you were to re-constitute it, without any regard to existing interests, would you put the watermen and the steamers under the management of the same Board?—Upon the same principle that I think all governing management ought to be under the same Board as far as regards the management of the River Thames.

2174. Then you think that there is some evil from the conflict of more than one body?—No doubt of it.

2175. *Chairman.*] Is the general navigation on the river increasing?—I think it is.

2176. In regard to the coal trade; I think you said that the number of sailing vessels, small trading vessels and colliers, have diminished since the increased introduction of steam vessels?—I think they have diminished; we have on an average now about from 750 to 800 colliers coming to London, sailing vessels only; I forget the exact number

number of screws; I think we have 27 screw colliers.

2177. Is the number of screw colliers increasing?—Yes, I think it is now; they were diminishing a short time ago; they were slightly on the increase, but now they have stopped, expenses are so heavy.

2178. Do you consider that, on the whole, that is an advantage to the navigation of the river?—It is an advantage in this way: if you have the screw colliers, you will not have so many sailing vessels in the river; the screw colliers can get out of the way more quickly than the sailing vessels.

2179. You mean that they discharge their cargoes much more quickly?—Yes.

2180. Are all the steam colliers screws?—Yes, every one of them; for despatch they tried with four or five collier brigs, if I remember rightly, and I do not think they found it answer; it did not pay them so well to pay the extra money for clearing so quickly.

2181. Is the accommodation afforded to the navigation on the river much greater now than it was six or seven years ago?—Certainly.

2182. And that accommodation is increasing?—It is increasing; I do not think a want is made known, but it is seen to immediately.

2183. Is the accommodation increasing at the same rate as the navigation of the river?—No, I do not think quite so much as that; I do not think it can be when we have so many large screw vessels coming now, if you take the point of number; but I am speaking of the average amount of goods. Although increasing, a great many go into docks, when formerly sailing vessels discharged in the river.

2184. With respect to the tonnage, how is it?—With respect to the tonnage, I think it is increasing.

2185. Do you think the demand for space and other facilities on the river is gaining on the means of affording them?—Yes, I think it is; I think the Conservators have done all that they could. Some years ago the tiers were dredged and deepened, in order to allow steam vessels which came from all parts; formerly only small vessels came to those tiers. The steamers now take up perhaps three times the length of those small vessels, so that the number of tiers has diminished; but the increased accommodation is far superior to what it was formerly. The steam vessels can get to the moorings laid down for them by the Conservators, and every facility for landing their cargoes on the wharves. The wharfingers have every possible facility given them.

2186. Still you find that the facilities for navigation do not increase with the increasing traffic on the river?—I think there is as much as is needed at present, or nearly so. Certainly, as far as the accommodation is required, every means has been given to the wharfingers, owners, and merchants, for their vessels to lie.

2187. I think you said in reply to a question of an Honourable Member, that there was no means of increasing the waterway on the river?—No, you cannot do it, except by cutting off a few points; that would only be turning the tide in one or two points to give a fair run; you cannot make the river any broader.

2188. Could you, for any practical purpose, increase the width of the navigable river by the removal of shoals which are not now removed?—There are no shoals that can be removed to increase the width of the river that I am aware of. I think that all the shoals that were at all in the way of the navigation have been removed.

2189. Sir *John Hanmer.*] By dredging between high and low water, could you not increase the width of the waterway at low water?—No; for you must leave an inshore and an outshore passage; the water is dredged now as near to the wharves as it is practicable to do; were you to go nearer to the wharves the wharfingers would not be able to get their barges to the tiers to land their cargoes.

2190. Mr. Alderman *Salomons.*] With regard to the embarkation or disembarkation of passengers to and from vessels, I think you stated that you thought that should be under the control of the Conservancy Board, as well as the overcrowding of vessels?—I think I said that it would be a very difficult thing to put under one Board; if the management of the river was under one Board, then it would be proper to do so.

2191. Do not you think that the embarkation and disembarkation of passengers, as well as the overcrowding of vessels, should be a matter of police?—The police look to the overcrowding now, at least if I may call them police; I mean those from the Board of Trade, if they see a vessel taking in more passengers than she ought they call to the captain "Stop."

2192. But do not you think that it is more a matter of police whether they are appointed by the Board of Trade or by any other body, to see that if vessels are overcrowded, the parties shall be brought before a magistrate?—I cannot say.

2193. Do not you think it would be far better that it should be with the police than with the Conservators?—That is quite a matter of the Police Act, about which I cannot speak.

2194. Do not you think it is an injurious thing on the part of a Board, that they should appear as informers against those persons to whom they give licenses?—I think no Board, however constituted, ought to be informers in any case; it is not a pleasant office at any time.

2195. Is it not therefore a matter to be provided for by police and police only?—Yes, but the river police have all these powers now in their hands, I believe.

2196. Whether it be on the river or on the shore, is it not more properly the duty of the police to see that vessels are not overcrowded, and to see that persons do not shove one another about in embarking or disembarking?—We all know from experience since we have had the police on shore, that they have prevented a great many accidents, and if you employ police on the river, they could do so; whether they should be under the Board of Conservancy as informers, I will not say.

2197. Mr. *Cave.*] As a matter of fact the embarkation and disembarkation of passengers while the vessels are moving, is under the control of the Conservancy Board, is it not?—Yes, we have power by our Act, and by our 42nd bye-law.

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2198. *Chairman.*] I BELIEVE you are an Officer in the Customs?—I am.

2199. What situation do you hold there?—I am in what is called the Examining Department of the Customs.

2200. Are you aware of the legal quays and sufferance wharves on the Thames?—Yes, intimately, so far as our duties as Custom-house Officers are concerned, and so far as they are under our control.

2201. Will you explain to the Committee, first of all, what is the distinction between a "legal quay" and a "sufferance wharf"?—The simple distinction is this: that a legal quay is a lawful landing-place, which has been appointed and confirmed by sundry Acts of Parliament, and a sufferance wharf is a kind of excrescence upon the system which has grown with the growth of commerce, and which it has been found necessary to add to from time to time; the power of appointing sufferance wharves is concentrated in the Board of Customs.

2202. Then the Board of Customs can abrogate the sufferance wharves, but cannot interfere with the right of a legal quay?—So I imagine; as constituted, the "legal quay" holds its privileges under Acts of Parliament, while the privileges of a sufferance wharf are only held on the permission and sufferance of Her Majesty's Customs.

2203. The legal quays are not increasing, I believe?—No; the last legal quays created were, I think, the several docks which have no landing-place on the banks, and may be said to be out of the river; they were constituted "legal quays" under their Acts of Parliament, granting them powers and privileges analogous to those which had been formerly accorded to the legal quays on the north bank of the river.

2204. The sufferance wharves are divided into classes, are they not?—They are divided at present, under the last revision, into four classes, from A. to D.

2205. The transaction of business on these wharves and quays, is of course greatly influenced by the manner in which the navigation of the Thames is managed?—I should imagine that it is very materially affected by it.

2206. Do you find that the accommodation afforded by those who have the administration of the River Thames has been increasing of late years?—Judging from the increasing number of the vessels arriving, and the little difficulty there appears to be in their finding their way to the wharf-side, I should say yes; but that does not come within the scope of my duties in any way; I can only judge from observation, from being on the spot at the time.

2207. In fact, your duties confine you simply to the objects which the Board of Customs have in view?—Quite so. These legal quays and sufferance wharves have other privileges than those of landing; I allude principally to that of warehousing goods in bond; it adds very much to the importance of such sufferance wharves as hold this privilege, and puts them on a par practically with legal quays.

2208. Mr. *Cave.*] The late alterations in the tariffs, I presume, have very much increased the business of the sufferance wharves?—Very much indeed, from the increase of importations thus caused.

2209. Formerly, I believe, goods could only be landed in docks and legal quays?—That was the rule, but I think it was almost constantly infringed. The object of appointing legal quays was obviously to concentrate the points of landing, and thus facilitate the collection of duties; but commerce has grown very much faster than accommodation has been made, in the way of legal quays. Sufferance wharves, I imagine, have always existed; that is to say, there were certain wharves where the privileges secured to legal quays did not exist, but at which certain cargoes might be landed, under particular circumstances, at a certain non-legalised wharf under sufferance of the Customs; that was the origin of the sufferance wharves, but they may now be looked upon as permanent institutions, as much so in practice as legal quays.

2210. Of course the tendency of legislation to take duties off so many articles has increased the number of articles that would be landed on sufferance wharves which formerly could only be landed in docks?—No, it has not exactly had that effect, because some sufferance wharves have, since 1850, held privileges equal in practice to the legal quays. I allude to those sufferance wharves which have obtained the privileges of class A, the first class; they have had the power, and have exercised it, of landing and warehousing such goods as might be landed at any legal quays, the docks excepted, because there are restrictions as to the landing of tobacco and other things at open quays.

2211. I was just going to ask you whether tobacco might be landed at any sufferance wharf?—No, nor at any legal quay, unless, as in the several docks, it is a place of sufficient security, within walls of a certain height, and sufficiently guarded for the security of the revenue.

2212. Then putting it generally, the tendency of legislation has been to increase the business on the upper banks of the river?—Yes.

2213. Mr. *Longfield.*] I believe neither the sufferance wharves nor the legal quays are under the control of the Conservancy Board?—Certainly not; they are private property, and, I imagine, under no control at all, unless of course they should infringe the right of the river in any way.

2214. Mr. Alderman *Salomons.*] Everything is now landed at legal quays and sufferance wharves except tobacco, I believe?—Yes.

2215. Even tea may be, may it not?—It may on special application. It was not originally included amongst the articles; but both legal quays and sufferance wharves now do land and warehouse tea, on complying with the special regulations and requirements, all framed with a view to the security of the revenue.

2216. That is a recent regulation only, I believe?—It is a more recent regulation.

2217. Within the last two or three years, is it not?—In some instances, yes. Nicholson's wharf, I believe, was a landing-place of the old East India Company, and I think it has had privileges separately granted.

2218. Was that two or three years ago?—Oh, very much longer; I believe it had old privileges under

under the East India Company's charter of landing East India produce.

2219. Can they land tobacco now, both at legal quays and sufferance wharves?—No; all goods except tobacco and prohibited goods.

2220. Mr. *Cave.*] Perhaps you may as well give the Committee the different classes of the sufferance wharves?—Class A. has the privileges of landing all goods except tobacco, and of warehousing all goods; to Class B. the privilege of landing and warehousing high duty goods is not accorded; in fact, a great number in Class B. have not warehousing privileges at all; simply in cases where they are specially applied for. Class C. has the privilege only to land free goods, goods not liable to duty; and Class D. is a still inferior class, that is limited to the landing of a very few articles, and those generally special articles that must be landed at this particular place. There are, of course, even under that classification, some exceptions; exceptional privileges may be granted upon any occasion by the Board of Customs, on application being made; but generally the classes are divided as I have mentioned.

2221. Then the abolition of the duty upon so many articles has a tendency, very much, to equalise the distribution of these articles along the quays, has it not?—Very much indeed; and it has had that effect.

2222. Are the tonnage rates collected by the Customs?—They are.

2223. Do the Conservators pay anything for that?—I am not in a position to answer that question; it does not come under my notice; I know it is done by the Customs, but I know very little of the working of it.

2224. *Chairman.*] I suppose that is done when the ship clears?—Yes; there is an officer sent from the Long Room at the Customs to the Conservancy Board; he is called the receiver of tonnage dues.

2225. Mr. *Longfield.*] Are these sufferance wharves and legal quays public or private property?—They are private property, but it is of necessity; and a clause of the Treasury Minute states so, that the sufferance wharves must be public wharves, that is, they must receive other goods than those of the proprietor, to enable them to retain the privileges; they must not land only the goods of one private person.

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2226. Is it the same with legal quays?—They have privileges to land under Acts of Parliament; we cannot bring any restriction upon them, without interfering with those Acts.

2227. *Chairman.*] Many of those legal quays, I believe, exist by virtue of very old charters?—Yes; very old ones, first obtained in the reign of Queen Elizabeth.

2228. Mr. *Longfield.*] The Conservancy Board have nothing to do with either of the legal quays or sufferance wharves?—I think not.

2229. Therefore, if they are good, the Board is not to be thanked for it; and if they are bad, the Board are not responsible for it?—I think they have nothing to do with either.

2230. Mr. Alderman *Salomons.*] Is not the landing of tobacco now confined to the London Docks only?—Oh, no.

2231. At what other place is tobacco landed?—At St. Katherine's Docks.

2232. And at no other?—At the Victoria Dock, which, however, is not a legal quay; it is only a sufferance wharf; but it has special privileges granted to it; it has never had an Act of Parliament; it exists only as a sufferance wharf; but, having complied with the regulations which the Customs think necessary for the security of the revenue in the matter of tobacco, and all other high duty goods, it has obtained a considerable amount of business.

Mr. Henry Humpherus, called in; and Examined.

2233. *Chairman.*] You are, I believe, Clerk to the Watermen's Company?—I am.

2234. How long have you held that office?—Between 14 and 15 years.

2235. You are, of course, acquainted with the provisions of the recent Act of Parliament, connected with the Watermen's Company?—I am.

2236. Will you state what the chief provisions of that Act of Parliament are; the nature of the privileges granted by it to the Watermen's Company?—The chief provisions are, the registration of the owners of craft, and the regulation of their craft; the regulation with respect to the working of barges by means of licensed persons; also the regulation with reference to passenger boats, small boats, and the licensing of those men; the binding apprentices; the making them free; the regulation of boats kept by persons to let out for hire on the river; and also the regulation, under a clause of the Police Act, of boats used by men called bumboat-men; and the general control of all the persons working the different descriptions of craft, including steamboats.

2237. Does that include all steamboats?—All steamboats working within the limits of the Company.

2238. Whatever may be the size of the steamboats?—Whatever may be the size of them, if they carry passengers or goods within the limits.

2239. Within the Company's jurisdiction?—Yes.

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2240. What are the limits of the Company's jurisdiction?—From Teddington Lock to the Lower Hope Point below Gravesend are the limits appointed by the recent Act of Parliament.

2241. It is not necessary that a steamboat should be licensed by the Watermen's Company, is it?—No; they are licensed by the Board of Trade under an Act of Parliament passed about the year 1845; up to that period the Company had licensed them.

2242. What description of craft navigating the Thames is without the jurisdiction of the Watermen's Company?—All vessels of a large class which come from beyond the limits and come into the limits, or vessels coming from beyond the limits, passing through the limits, are not under the necessity of having licensed watermen, although, in practice, it is constantly done.

2243. Large commercial vessels entering the Port of London, I presume, are not under the jurisdiction of the Watermen's Company?—No.

2244. Can you define the class of vessels which are placed under the authority of the Company?—More particularly sailing barges and barges that are navigated by means of oars; small boats, steamboats carrying passengers from London to Greenwich

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Greenwich and Gravesend, and also carrying passengers above bridge; boats of small class.

2245. Mr. *Locke.*] Is there any distinction between Thames boats or vessels and sea-going vessels?—Sea-going vessels are exempt from the operation of our Act by a special clause.

2246. Those which are not sea-going vessels, then, are within your Act, are they?—They are within our Act.

2247. *Chairman.*] With respect to Sunday ferries, will you explain the nature of Sunday ferries, and the authority exercised by the Watermen's Company over them?—The Sunday ferries were appointed by the company under a former Act of Parliament; in fact, they have exercised the power over them about 300 years. The power was continued to them under the Act of 1859. It is a power of appointing watermen to work the ferries which the Company appoint; they are to charge a fixed sum, and the produce is to be given by the Company to poor, aged, decayed, and maimed watermen and lightermen of the Thames and their widows.

2248. They do not pay the money over to the infirm and aged, but to the Company?—The mode of receiving the money by the Company now is by means of leases. There is a power in the Act of Parliament, first created in 1827, and continued by the late Act, of letting the ferries annually. The Company have found that it is the best mode of letting them on lease to persons at a fixed rent, and the lessees employ the men (subject to the approval of the Company) to work them. The Company are thus in a better position with reference to their fund; they know how much money they would have in the course of a year, in order to allot it to the particular pensioners.

2249. Then the Company is empowered to let the exclusive right of crossing the river, and of taking persons to and from ships in the river, to certain tenants?—Yes; to certain persons it is of some benefit, because if there is any complaint against these persons, the Company can instantly stop their working, and prevent a great deal of confusion on the Sunday.

2250. Is that right often infringed?—We are sometimes called upon to remove men.

2251. Do you mean to remove men who attempt to ply, not having the authority of the Watermen's Company?—Sometimes we have those cases, and sometimes we have cases of parties appointed behaving rudely or uncivilly, and we either remove them or communicate with the person who holds the ferry.

2252. Are any large sums of money received in virtue of this right of ferry by the Watermen's Company?—Many years back we received some large sums, on the occasion of the building of old Blackfriars Bridge and old Westminster Bridge.

2253. I am not speaking of compensation granted, but sums paid by tenants holding leases of the ferries?—Some years ago the ferries produced much more than they do at the present time; I think, at one period, about 30 years back, the ferries brought in something like 900 *l.* a year.

2254. What do they bring in now?—I think the letting this year is about 420 *l.*

2255. How many ferries are there?—About 35 or 36.

2256. Sir *John Hanmer.*] Do you receive compensation upon the building of the bridges?—At Westminster Bridge there originally was a Sunday ferry, and we received a sum as compensation for the loss of ferry on that occasion.

2257. *Chairman.*] I believe you also received compensation upon the building of Blackfriars Bridge?—Yes, the money was given under the Act of Parliament which empowered them to build the bridge; that amount was invested in the funds, power being given to the Company to distribute the dividends in the same way as the produce of the Sunday ferries, so that we cannot, of course, touch the principal in any way.

2258. Has compensation been awarded to the Company in consideration of the ferries that were abolished?—The last ferry for which we received compensation was, I think, five or six years back, at the New Bridge at Battersea; we had a ferry there for which we received 50 *l.*

2259. What did that ferry bring in?—That ferry let for about 26 *l.* a year at that time.

2260. That is two years' purchase; then you did not get much?—We had also to pay a rental for some stairs which had been erected for the public benefit, I think, 20 *l.* a year.

2261. Did you also receive compensation on the building of Vauxhall Bridge?—There was also some compensation at that time; we received compensation for the loss of half the ferry for the Watermen's Company; we also received compensation for the poor watermen of Westminster, a very ancient body; they had a ferry from one side of the river to the other; we were made trustees under the Act of Parliament for the receipt of the money awarded to them; the dividend is directed to be paid to them half-yearly.

2262. What is the whole sum of money held by the Watermen's Company in trust for the aged and infirm?—I think it is about 42,000 *l.* or 43,000 *l.*; the total amount of the poor's fund is 39,702 *l.*, and that portion of it which more particularly belongs to the Company as trustees of the poor watermen of Westminster is 2,760 *l.*

2263. What is the whole of the charitable fund?—We have a sum of 521 *l.* 10 *s.* 3 *d.* besides, which was the produce of a legacy bequeathed by the late Alderman Lucas for the purpose of distribution, once a year, to the inmates of the asylum for aged watermen at Penge, by the court on their annual inspection; that is the whole of the funds that the Company have for charitable purposes.

2264. With respect to the privileges enjoyed by the Watermen's Company in the navigation of the river, what are their rights with regard to lighters?—It is the right of navigating all sorts of lighters and barges working on the river carrying of goods.

2265. If I am the owner of a lighter, have I not the right to navigate that lighter by means of my own servants?—No, not by the present law.

2266. What is the restriction which the Company imposes?—They require that he shall be a freeman of the Company, licensed by the Company to work lighters, or a person that has served his time to a barge owner, who had been licensed by the Company to do the same act; under the old law it was necessary simply to be a freeman of the Company; under the new law it is necessary that they should all be examined and licensed by the Company, and the addition is made that a barge owner may bind apprentices, and that persons having served their time to barge owners, may obtain licenses if they are found qualified to do so.

2267. Then the present law, the law of 1859, is more restrictive than the former one, is it?—In some respects it may be so; the licenses that are granted to the men are of course limited; they cannot work under them for a longer period than three years under any circumstances; there is power in the Watermen's Company upon the occasion of any offence or neglect of duty to recall those licenses.

2268. To whom does the Company grant licenses?—To freemen of the Company and to apprentices who have served two years of their time.

2269. And those licenses, you say, are for a period of three years?—Yes, that is one of the provisions of the last Act of Parliament.

2270. Have you often had occasion to vindicate your rights to prevent the infringement of them by parties who undertake to navigate craft upon the river without being duly authorised by the Watermen's Company?—It is very seldom that we have occasion to do so. They are principally persons that have served the period of apprenticeship, five or seven years, and have not come in and obtained their license. Of course we find that they like to go on as long as they can without getting their licenses, because, upon getting them, they are immediately subject to the regulations.

2271. They also have to pay, have they not?—Yes.

2272. What do they pay?—Altogether, the fee for freedom, stamp, and license, is 3*l.* 11*s.*; that is for the license to work for the three years.

2273. How many freemen are there now?—The number of freemen licensed under the Act of 1859, to work on the river, is 4,992. We have other persons, freemen of the Company, who have not been licensed under the Act.

2274. How many are they?—I think there are about 1,200 who have not been licensed.

2275. And freemen of the Company, not being licensed, have no authority to work upon the river?—No; that is the distinction drawn in the new Act of Parliament, that although they were freemen of our Company, they should not have any direct right to work on the river unless they are licensed by the Company upon examination.

2275*. Are you led to conclude that the number you have just stated is sufficient for the requirements of the river?—I think so; with the apprentices, who now exceed 2,500, I hardly know a case in which any difficulty has occurred, unless it might be at any particular time, when a great number of vessels have arrived in the river, and when everybody is busy; there have been one or two occasions of that kind.

2276. Supposing that more men were required for the service of the river than the Watermen's Company supplied, what would be the position of the ship-owner or barge-owner, who could not obtain assistance?—If there was any one at all who could manage craft, they would employ him.

2277. But you do not think that often occurs?—I do not think it does.

2278. Mr. *Locke.*] Could they employ those men if the watermen came up and objected?—No, not if a licensed waterman applied for the work.

2279. When the work was commenced?—Yes.

2280. Mr. *Cave.*] Would they not be liable to a penalty?—Yes, but not if the owner proved there was a want of men. Such a provision was inserted in the new Act of Parliament, in case anything of that kind should take place.

2281. *Chairman.*] The Act which was passed in 1859 was not passed, I believe, exactly in the same shape as the Bill that was originally introduced?—No, it was very different.

2282. In fact, it was almost in contrast with it, was it not?—I almost forget the clauses of the original Bill; I believe it was intended, to a great extent, to throw open the navigation to any one. It rather pointed to the mode which I have heard referred to to-day, of licensing anybody who might apply, by giving them a simple ticket, that they might work anywhere. The Committee of the House of Lords did not approve of that system, and pointed out another one, that watermen and lightermen should be licensed similar to the mode in which cabmen and hackney coachmen are licensed. They also suggested that it should be placed in the hands of the Conservators to carry out those regulations. The Committee adjourned for the purpose of seeing whether the promoters of the Bill could prepare clauses to carry that out. However, they did not much like the Conservators having to carry it out, and they stated so at the next meeting.

2283. In fact, was not the Bill a Bill for the purpose of abrogating the rights of the Watermen's Company, except as a charitable corporation?—Yes; I should say that the Bill as it passed was a very different one altogether from the original Bill. There were several alterations which were no doubt improvements. We had not much control in making the Bill; the promoters had the whole making of it.

2284. Do you consider that the Bill as it came out of Parliament was a great improvement upon the Bill as it went in?—I think it was; it gave us the power of punishing offenders in different ways.

2285. And it preserved almost in its integrity the power of the Watermen's Company, did it not?—Yes; they retained their position as a corporate company, and the regulation of the men and craft as before.

2286. Do you find that the operation of the Watermen's Company of regulating the navigation of the Thames gives general satisfaction?—I think it does; I have not heard of many complaints. With regard to the offences of the men, the Court are always ready to check anything that may appear to be objectionable with regard to offences of various kinds. As to barges and small boats, we have inspectors appointed to carry out the law. It was the recommendation of the Committee when the Bill passed that we should appoint an additional inspector upon the river. That was immediately carried out, and we have now been considering the appointment of two additional officers for that purpose.

2287. Do you think that great confusion and detriment to the public would ensue if the Company's rights and privileges were destroyed?—That is the impression of the Court, and of all practical men.

2288. Do you know whether any such authority as that which is exercised by the Watermen's Company on the Thames exists on any other river in the country?—I do not; I have not heard of any. I think at Liverpool, some few years back, they were about making similar regulations, and they sent to us for a copy of our bye-laws, stating that they had heard of our

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bye-laws, and were desirous of making some from them.

2289. Do you know who sent for that document?—I think it was the town clerk.

2290. He is not the clerk to the Conservators of the Mersey, is he?—I think not.

2291. Mr. *Ewart.*] But there is no Watermen's Company at Liverpool?—I am not aware of any.

2292. Therefore, any information they wanted would have reference more to control over the small boats?—Yes; and the men.

2293. *Chairman.*] Have you a copy of the Company's bye-laws?—Yes. (*The Witness handed in copies.*)

2294. Sir *John Hanmer.*] What is the origin of your powers; when do they date from originally?—I think about the year 1550 was the first Act of Parliament regulating the Company.

2295. Mr. *Locke.*] When was the Watermen's Company first brought into existence?—I think the first Act of Incorporation was passed in the reign of Philip and Mary.

2296. Sir *John Hanmer.*] Then it was not under a charter or letters patent, but by Act of Parliament?—Yes; by Act of Parliament.

2297. Has the constitution of the Company been changed frequently since?—No. Several Acts of Parliament were passed before 1827 at various times for amending the laws, but in 1827 a Bill was brought in to embrace the whole regulations that were then made. No alteration has been made from 1827 up to 1859, when this Bill was passed.

2298. *Chairman.*] Was not this Act of 1859 the result of a compromise, in consequence of the advanced period of the Session?—No; I do not know that there was any compromise.

2299. Have you never heard that statement?—We wanted further alterations in the Bill, and we very much objected to some of the clauses; for instance, we had to pay the promoters 1,000 *l.*, which we did not much like, after the proceedings that had been taken. I do not know that there was any sort of compromise at all in the matter.

2300. What was the cause of your having to pay that 1,000 *l.*?—The Committee of the House of Lords who passed the Bill thought that as the Company had not been abolished in the way the promoters of the Bill had wished, and as they had been at a considerable expense in their proceeding, that we should pay them 1,000 *l.* towards their expenses.

2301. And you paid accordingly?—Yes, we paid accordingly. We thought it was bad in principle; that they might on some future occasion act upon it not only as respects ourselves, but other bodies.

2302. You say you were not contented with the provisions of the Bill. With what provisions were you dissatisfied?—There were some alterations in the clauses which we thought were necessary for the better working of the measure, and which we thought might be introduced.

2303. Did you object to the provision which enabled a freeman to take any number of apprentices?—No, we did not object to that; we stated that it was a matter that we had no power of altering, the limit having been fixed by Act of Parliament; but we did not consider that any great benefit would accrue from it, and we have found out such to be the case, although the Committee by that Act of Parliament provided that any barge owner might take any number of apprentices he thought proper; we do not find that above 20 persons have taken more than they did before.

2304. Then you do not find it has done any harm?—No; it has done no harm.

2305. Can you hand in to the Committee a statement of your annual income and expenditure?—I have a copy of the 12 months account. (*The Witness handed it in.*)

2306. Do you make any publication of those accounts?—There is a provision in the new Act of Parliament that the accounts shall be open to the examination of any person who contributes to the funds of the Company by payment of fees, upon the payment of 1*s.*; I think we have had one application for that purpose.

2307. The Watermen's Company is a self-elected body, is it not?—It is self-elected.

2308. To whom is it responsible; to any one?—I do not think that it is responsible to any one, except in the approval of their regulations and bye-laws by the Conservators and the general control of Parliament.

2309. Mr. *Locke.*] When you say the Company is self-elected, you mean the Court of the Company, do you not?—Yes.

2310. Not the freemen?—No.

2311. *Chairman.*] Do you consider, on the whole, that the operation of the Watermen's Company is so beneficial, that if it did not now exist on the Thames, it would be desirable to invent it?—I should think it would be very necessary to have some direct control over the men and the navigation of the river; and I believe that most practical persons in the habit of employing men would say the same thing.

2312. Why should it be peculiar to the Thames?—The traffic on the Thames is so very much larger, and the difficulty of navigation greater in every way, than any other river in the country.

2313. But although it is larger, it is not different in its nature, is it, so as to require special powers?—I do not know that it is different; I should say that great numbers of the men are employed in piloting vessels; I should think at least 600 or 700 licensed watermen are engaged as watermen pilots. In fact, there is hardly a vessel which now comes into the river that has not a waterman to pilot it up and take charge of it.

2314. Mr. *Ewart.*] Are these self-elected members elected for life?—Yes.

2315. Must captains of the river steamers be members of the Watermen's Company?—Yes, they are all licensed men.

2316. They must belong to the Company, must they?—Yes.

2317. And no other person, unless he is a member of the Watermen's Company, can command any of the river steamers?—No.

2318. Does not that create a monopoly to a certain extent?—I do not think it does; the wages, I think, is a criterion; they get very poor wages; there are always plenty to do the work.

2319. Mr. *Locke.*] Is it not rather a guarantee that they understand their business?—I think it is, because they are regularly brought up to it; and I think the owners of craft and steam vessels look to that as a guarantee.

2320. Mr. *Cave.*] Is there an examination as to their competency when they are licensed?—Yes; all apprentices and persons after they are admitted to the freedom, if they apply for the license, undergo an examination by gentlemen who

who, we believe, are perfectly competent to judge of their efficiency, persons who have been in the business the whole of their lives.

2321. Is it an examination of the same kind as that for masters of sea-going vessels?—I should think something of that character.

2322. Is there ever any clashing of authority between the Watermen's Company and the Conservancy Board?—Up to a recent period we have never had anything, I think, that would at all clash; the provisions of the last Conservancy Bill, the court considered, was an infringement of some of our regulations.

2323. Do you mean the Bill of this Session?—Yes, as to the registration of sandboats and bumboats; the Watermen's Company have the registration of those craft, and they thought that the two regulations would be attended with some difficulty; they also objected to the power of seizing and selling craft; they thought it was an extremely great power for the Conservators to take into their hands, and one to which the great body of barge owners and lightermen would object.

2324. I see that in your bye-laws, and in the bye-laws of the Thames Conservancy, the rules are almost exactly the same in words as to the regulation of steamers, with regard to the master being on the paddle-box, and with regard to passengers being taken on board or landed. Both have laid down the same rules. Whose duty is it to see that the rules are carried out?—Formerly the regulation of the steam vessels was entirely in the hands of the company; there was some dispute in 1845, and the Board of Trade took a portion of that duty away. We had always made bye-laws and regulations with respect to steamboats, and in 1859 we embodied in our new bye-laws, what we considered good regulations under the new Act, with regard to steamboats. The Conservators, I believe, made their bye-laws after us, and one or two were very similar to ours.

2325. Then, in fact, the steamers are under three separate jurisdictions, the Board of Trade, the Watermen's Company, and the Conservancy Board?—To that extent.

2326. And to a very material extent, is it not, as it affects their working every day?—The Board of Trade simply license the vessels, and regulate the number of persons; they had power under their Act of Parliament of appointing an inspector to see that the number of passengers which the Board of Trade had licensed them to carry was not exceeded; but there was some difficulty about the pay; the Act of Parliament did not give the Board power to pay the person appointed, and that was not carried out. Ultimately, I think, the Corporation of London appointed a person, and paid him for a short time, but that was not further carried out.

2327. Are the steamers, to your knowledge, overcrowded above bridge?—Not, generally speaking; there are some occasions upon which an excessive number is carried, but our officers, who are always afloat, call attention to the fact, and caution them about it.

2328. But you have no control to prevent it, have you?—No direct control.

2329. If you had to do the whole thing over again, should you consider that that division of authority was favourable to the navigation of the river?—I think so; I think the general control over the men and their boats should be exercised by practical men; the control of the Conservancy is a very different thing; that is the control of the water and the banks.

2330. Then, do you think it better that these different Boards should check one another rather than that the whole jurisdiction should be under one Board?—I think so; I think there is some little check upon each other.

2331. Do the Watermen's Company generally work harmoniously with the other jurisdictions on the river?—Yes, I have not found any difficulty arise.

2332. Supposing that control was taken away from the Watermen's Company, would they suffer much loss of funds?—I apprehend that the whole of the funds would go with the control; there would be nothing left; we have no property of any kind.

2333. I thought you mentioned a capital sum, just now, that you had?—That is a sum that we have received under Acts of Parliament, in trust to be applied to certain charitable purposes; of course we have certain annuitants, who receive every 6*d.* of that money; we have no power to retain a 6*d.* of it for expenses of management or otherwise.

2334. Then your funds are derived from the control of the river?—From the monies we receive as fees.

2335. Mr. *Locke.*] The Company has power in itself, has it not, to convict in a penalty?—We have power to hold courts to hear and determine complaints, and that power has been exercised for some years. We have about 30 cases every month, of parties who complain.

2336. Have you a power of disfranchisement?—In certain cases.

2337. Then there would be an appeal in that case, would there not?—Yes; the appeal is to the Conservators; if we refuse to grant a man a license, or anything of that kind, the appeal is to the Conservators.

2338. I presume that was so previously, at the time of the Navigation Committee?—No; I do not think there was any power of appeal before.

2339. I see that there are fines which you can inflict?—Yes.

2340. You can likewise disfranchise?—Yes.

2341. And you are the judges who shall be licensed?—Yes.

2342. And you think that system works well?—Yes, I think it does.

2343. In point of fact, are the persons who regulate the Watermen's Company all persons who are connected with the occupation of watermen?—Yes; and on every vacancy that occurs, the desire of the Court is to select a person whom they think, from his connexion with the working of the river, is best qualified to fulfil the duties.

2344. Of whom are the present Board composed?—There are 26 gentlemen.

2345. What have been their occupation?—Many of them are barge-owners and master lightermen; some are steamboat and tug owners, others are pilots, and others connected with various branches of the trade.

2346. But all persons connected with the trade on the river?—All persons connected with the trade. There is the corn trade, the coal trade, and various trades connected with barges represented to a limited extent.

2347. Then they are all persons well conversant with it?—Quite so.

2348. Have there been any complaints made by

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by the Company since the establishment of the Conservancy of the Thames in 1857, by watermen, with respect to the interference of the Conservators with the free stairs, those stairs which were marked by the Watermen's Company?—We have certainly had some complaints with reference to the piers erected at the public stairs.

2349. Was the complaint that those piers interfered with the free stairs which the Watermen's Company have marked as being proper stairs for the watermen to ply to?—Yes.

2350. Can you recollect when any of those complaints were made?—It was about the period that the different piers were erected. We had deputations waiting on the Court requesting the Court to interfere, to put a stop to the blocking up of the stairs, by means of the barriers, dummies, and piers.

2351. Did you take any action upon that?—The first that I recollect being erected was the one on the south side of London Bridge; the Court went over there two or three times to inspect the same, and received two or three deputations on the subject; they thought the plans proposed were to some extent objectionable, because it would interfere with the stairs, and also because the piers would be placed in the waterway of the arch, and they wrote to the Conservators, or directed their solicitor to do so, stating their objections to the erection.

2352. I believe by Section 62 of the Conservancy Act, it is enacted that they shall not interfere with any watermen's stairs which are marked by the Watermen's Company, unless they should cause some equally convenient stairs to be provided; is that so; is that the section?—Yes; the section states, "Whenever the Conservators shall shut up, remove, or take away, or in any manner obstruct the free use and enjoyment of any existing public stairs or landing place, now marked by the Watermen's Company, they shall cause some equally convenient free public stairs or landing place to be erected or provided in the place or stead of the said landing place so removed, shut up, or taken away, or the free use and enjoyment of which may be in any manner obstructed."

2353. Have you remonstrated with them upon that?—That was the case I referred to at the London Bridge Stairs; we did, by letter, remonstrate against it.

2354. Have you remonstrated with regard to other stairs, with regard to the interference at Allhallows Stairs, for instance?—I think not with reference to Allhallows Stairs; we did as to Paul's Wharf.

2355. Did they make any stairs in any other place?—No; no fresh stairs were made.

2356. Do you recollect what the number of stairs has been that have been interfered with?—Above half-a-dozen, I believe; that is, piers affecting stairs, or partly affecting them.

2357. Do they act in any unison with the Watermen's Company at all; with respect to the bye-laws which they made, do they communicate with you at all?—Yes; they sent a communication to the Company, stating that they were about making bye-laws, and if the Company had any suggestions to make, that they would have their consideration.

2358. Will your minutes show the various transactions that you have had with the Conservators?—Yes.

2359. Do you recollect the case of a trial of the Queen *v.* Hazlewood, tried in the Court of Queen's Bench in April 1855, with reference to the pier under the Southwark arch of London Bridge?—Yes; I recollect the time of the disputes about that pier.

2360. Did you give evidence in that case?—No; I do not think I was a witness.

2361. The trial was at Kingston; were you there?—I went to Kingston one day, but I was not present at the time the case was tried, I think.

2362. Was it the case of the Queen *v.* Hazlewood?—I think it was.

2363. Was not the pier in that case held to be a nuisance?—I think that was the decision of the court.

2364. Was that in April 1855, before the Thames Conservancy Act?—Yes.

2365. Since the Thames Conservancy Act was passed, we have heard that the Conservators have erected a pier in the same place?—Yes.

2366. Mr. *Longfield.*] Whenever the Conservators have taken away a landing place marked by the Watermen's Company, have they not erected another in its place, or near it?—They have not erected new stairs; they have not totally destroyed the use of the stairs for the purpose that they might be now required; there is not one case of public stairs which they have totally destroyed.

2367. Mr. *Cubitt.*] The honourable Member has asked you about a pier being declared a nuisance at Kingston, and you were then asked whether the Conservators had not put up another pier in the same place; do you happen to know whether the pier which was condemned as a nuisance was similar to the one that has been put up by the Conservators?—No, I think not; I think the one that was declared a nuisance, was a very inferior description of pier, erected I believe by the watermen, under the permission of the Board of Aldermen.

2368. *Chairman.*] Still the Court remonstrated with the Conservancy Board as to the erection of the pier on the south side of London Bridge?—Yes.

2369. Will you put in a copy of the letter that you addressed to the Conservancy Board on that occasion?—I can supply the Committee with a copy of it; I have not one here.

2370. Do you remember the chief points which were urged on their attention?—No; I think it was written by the solicitor of the Company; I have not got the letter.

2371. You objected also to the erection of other piers, did you not?—Only to the one at Paul's Wharf; we did not carry our objections any further than those two. We thought they were places that were not much used, but we were desirous that they should not be altogether destroyed; they were public rights, which we were desirous of keeping up.

2372. Are you speaking of piers or stairs?—Stairs by the piers.

2373. But with respect to piers, did you object to the erection of any other piers?—Our objection was not to the piers themselves, but to their taking up the stairs by these erections.

2374. Then you did not object to the piers?—Not at all.

2375. But you did object to their taking up stairs at other places?—Yes, that was the extent of our objection.

2376. What was it that you did actually object to?—To taking up the stairs, by the communication

tion which were being placed on the stairs to communicate with the piers, and to the erection of the piers right in front of the stairs.

2377. Did you object to it on the score of its being an infringement of your authority, or that it diminished the public facility?—Simply that it diminished the public facility.

2378. Do you consider that the stairs erected by the Conservancy Board give less accommodation to the public than the old stairs?—They simply erect piers.

2379. Have they erected no stairs?—They have erected no stairs.

2380. They have taken away stairs which have been sanctioned by the Watermen's Company, and have erected nothing in their stead; is that so?—They have erected nothing in their stead.

2381. Mr. *Blackburn.*] As a matter of fact, do you consider that the stairs on the south side of London Bridge are in the least obstructed by the pier?—We did not consider that the obstruction was to such an extent as to follow up our remonstrance by further proceedings.

2382. Is it not quite easy to get down to the boat by the stairs at London Bridge?—It is easy, but not quite so convenient as before the pier was erected, and at that time of course we were not aware to what extent the Conservators would carry their proceedings at other stairs.

2383. Then you were only afraid that they might do some injury, whereas, in fact, they have done none?—Not to any great extent.

2384. Mr. *Longfield.*] Have they not caused equally convenient landing places to be erected as those which they interfered with?—Yes; the piers are, of course, better than they were formerly.

2385. Did not the Conservancy Board show every disposition to listen to your remonstrances, and afford every accommodation?—Oh, yes; we had a deputation round two or three times on the subject, and they received us very cordially.

2386. You say that the income of the ferries is falling off very much?—Yes.

2387. Has that been owing to the erection of bridges?—The ferries have fallen off, I think, 120 *l.* within two years; that has been caused by the erection of these new piers. An immense number of persons go across by the steamboats who formerly went across in the watermen's boats; therefore our receipts are much less than they were previously.

2388. Have you ever heard any complaints of the exorbitant sums demanded by watermen for putting men on board ships in the Pool?—We have had some cases, and we have endeavoured and have in many cases found out the men, although the parties themselves did not know them; we know who are likely to adopt such means; and I should say, with reference to that subject, we hold a court ourselves for the trial of offenders. Many gentlemen have found our court a greater convenience than going to a police court to have men punished; they come and complain to us; we ascertain the particular stairs at which the matter has occurred, and we can generally get information from watermen who are not in the habit of making excessive charges, so that we can tell who the offender is, and he is brought before our court, and the case is heard.

2389. By the Act no person can take a boat on the river, I believe, without engaging one of these licensed watermen?—No waterman's boat.

2390. Do you know whether the use of registered row boats has fallen off or increased?—The working by means of small boats, I should think, is gradually being reduced.

2391. Has the Watermen's Company power to license the number of men, and also to fix what fares they would exact from the public?—Yes.

2392. Mr. *Ewart.*] Have you the power of fixing the charges for putting persons on board ships?—Yes.

2393. Mr. *Cubitt.*] I think you have said that it is not so easy for boats to get alongside the steps at London Bridge as it was before the pier was put there?—No, it is not.

2394. How does that arise?—There is not so much room for a boat to get alongside; and there is another difficulty, that steamboats are constantly running alongside the pier, and that makes it the more dangerous.

2395. Then it is from the great steamboat traffic that the boats are impeded?—Yes.

2396. If the steamboats did not run at all, I suppose there would be no difficulty. The watermen's boat could run alongside the dummy and land its passengers there, and the passengers could proceed from there to the steps?—Yes.

2397. Therefore, the difficulty that the watermen experience is from the frequency of the steamboats running?—Yes; of course that objection would apply to all public stairs, or causeways, where piers are established; although the Conservators may give all the accommodation that they could at the piers for persons to land and embark, still it is dangerous in consequence of the height the pier is out of the water, and from the number of steamers which are constantly coming in and out. I have here a table of the rate of fares which are to be charged by the watermen licensed by the Company.

2398. Mr. *Ewart.*] Are the boatmen bound to have a list of their fares with them on board?—Yes; that is the book that they are bound to keep.

2399. So that anyone can ask to see what the proper fare is, in the same way as with a cab?—Yes, the boats are licensed. The license is granted for three years; and we have power to suspend the license at any time if we have a report from our officers that the boats are damaged or unfit for use.

2400. They must always have that list of fares on board?—Yes.

2401. Mr. *Locke.*] How far does the jurisdiction of the Watermen's Company extend?—From Teddington Lock to Lower Hope Point, about six miles below Gravesend. Our former jurisdiction was more extensive; we went then to Yantlet Creek; but the Committee of the House of Lords reduced the limits.

2402. You do include Gravesend?—Yes; and six miles below.

2403. Does your jurisdiction extend over all those watermen who put persons on board seagoing ships; that is, ships going to Australia, and so on?—Yes; we have an inspector at Gravesend, for the purpose of controlling the men there.

2404. *Chairman.*] Has the steamboat passenger traffic by the Watermen's Company's boats at Allhallows' Stairs, or Swan Stairs, increased of late?—I have no account of it. I should think it was increasing.

2405. Do those steamboats belong to the Watermen's Company?—No; the Incorporated

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Company of Watermen and Lightermen have no power of holding vessels; the Watermen's Steamboat Company is a company that was formed by some of the freemen of the Watermen's Company when steam was first introduced; but it is quite unconnected with the Court of the Watermen's Company.

2406. Is there any considerable traffic carried on at those two stairs, Allhallows and Swan Stairs, by the Watermen's boats?—No; I should say the Watermen's boats very seldom take any one there. The little traffic there is principally that of lightermen's boats, for the purpose of getting ashore. There are occasionally a few passengers from the other side of the water on business that take boats and cross there.

2407. Do you think the establishment of those piers by the Conservancy Board has at all diminished the traffic by Watermen's boats?—No, I should not think it had.

2408. They are under no such imputation?—No, I do not apprehend so.

2409. Mr. *Longfield.*] The chief traffic now, I suppose, is by means of the penny steamers?—Above bridge, principally; it is so cheap, and the stations are so close, that all the above bridge traffic is principally carried on by the steamboats.

2410. And the fares of the watermen in comparison with the fares of the steamboats, are enormously high, are they not?—Yes.

2411. *Chairman.*] I suppose the Watermen's Company would not be disposed to resign their authority?—That I do not know. There has been one matter spoken of to-day with reference to the western barges, upon which perhaps I may be allowed to observe that that was entirely a suggestion of the Committe of the House of Lords in the progress of the Bill. The old Act of Parliament of 1827 contained several exceptions, such as chalkhoys and gardener's barges; the Committee of the House of Lords entirely agreed with the promoters of the Bill, that it was unwise to continue those exceptions, and they were not reinserted; but the Watermen's Company had nothing to do with that.

2412. It was not done at the instance of the Company?—No.

Veneris, 15° *die Maii*, 1863.

MEMBERS PRESENT:

Mr. Blackburn.
Mr. Cave.
Mr. William Cubitt.
Mr. Joseph Ewart.
Sir John Hanmer.
Mr. Hutt.
Mr. Richard Hodgson.
Mr. Lindsay.
Mr. Longfield.
The Lord Mayor of London.
Mr. Alderman Salomons.

THE RIGHT HON. W. HUTT, IN THE CHAIR.

CAPTAIN WILLIAM PIGOTT, called in; and Examined.

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2413. *Chairman.*] I BELIEVE you are Deputy Chairman of the Trinity House?—I am.

2414. And a member of the Conservancy Board?—I am now a member of the Conservancy Board, *ex officio*, and attend regularly.

2415. How long have you been a member of the Conservancy Board?—I was appointed to the Conservancy Board at its first formation, in the year 1857, by the Trinity House, who have the privilege of appointing a member.

2416. You are consequently well acquainted with the proceedings of that body, with regard to the management of the River Thames?—I think so.

2417. The Trinity House, I believe, is charged with the duties of the ballastage in the River Thames?—Yes.

2418. Under what authority?—The authority began in the year 1594, and has been continued from that time up to the passing of the last Act, which is dated 27th of June, 1843, for 21 years.

2419. When will that Act expire?—It will expire on the 27th of June, 1864, and at the end of the next following Session of Parliament.

2420. The sole right of supplying ships in the Thames with ballast, and raising that ballast from the river below London Bridge, is, I believe, vested in the Trinity House?—It is.

2421. Is any other party permitted by law to obtain ballast from the River Thames, or to transfer it from one ship to another in the Thames?—Persons are allowed to tranship ballast from one ship to another under certain regulations.

2422. What are those regulations?—They can remove ballast from one ship to another at a certain payment per ton.

2423. A payment to whom?—To the Trinity House.

2424. Is there any penalty imposed by the law upon parties not conforming to that regulation?—I do not see any penalty attached to the breach of that clause, the 22d, but I am prepared to inform the Committee of the extent to which that clause has operated during the last five years, and I wish to do so, because it is represented as being one of the grievances, if not the grievance, and I have to inform the Committee that the amount paid for permission granted for vessels belonging to the same owners, for the whole of the five years, from 1856 to 1862, amounts to the large sum of 56*l.* 8*s.* 6*d.* Therefore, the sums paid for that privilege amount to an average of 11*l.* 5*s.* 8*d.* per year, and for vessels belonging to different owners requiring the same accommodation, it has been the large sum of 35*l.* 16*s.* 3*d.* paid, which is 7*l.* 3*s.* 3*d.* per year. That is the extent of the grievance of this clause, which is stated to be such a grievance.

2425. Mr. *Cave.*] Is that for the transfer of the order, or the ballast?—I am speaking of the transfer of ballast from one ship to another.

2426. Mr. *Lindsay.*] How much per ton do you charge for allowing the transfer?—It is 6*d.* per ton; and if the ship belongs to different owners, it is 1*s.* 3*d.* per ton.

2427. Might not this high charge have the effect of preventing these transfers being made to a greater extent?—I am not prepared to say that that would be so.

2428. *Chairman.*] Has it come within your knowledge that shipowners have complained of the restrictions they are under with respect to the transfer of ballast?—I am not aware that any such complaints have reached the Trinity House. Complaints have reached the Trinity House upon the ballasting system, and I am prepared to supply the Committee, if they will allow me, with a letter showing the nature of those complaints.

2429. Confining our attention for the moment to the question of the transfer of ballast, has not some paper been referred to the Trinity House by the Board of Trade from parties respecting the transfer of ballast?—I am not aware that those complaints have been made; they may have been made, but not to attract general attention at all.

2430. Do you not recollect a memorial to the Board of Trade, signed "W. S. Lindsay," which was referred to the Trinity House?—I have before me, and I shall be very glad to put in as evidence a copy of the letter that was sent in reply to the complaints from that gentleman, as well as 12 enclosures upon the subject.

2431. A complaint relating to what?—Relating to the ballast.

2432. To the transfer of ballast?—To the working of the ballast system.

2433. Have you got that document?—I have the

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the document in reply to the charges made by Mr. Lindsay.

2434. Have you got Mr. Lindsay's letter*?—I have the letter that was sent in reply.

2435. But we must first have the letter complaining of the present system of ballasting; without that we shall scarcely understand the reply?—I have not got that; this is the reply: (*The Witness handed in the same. Vide Appendix*).

2436. Is there any other article whatever besides ballast which the owner of one ship is not permitted to transfer to the other by his own will and pleasure, without the permission of anybody?—I am not prepared to answer that question. I am not aware of any objection. I presume you are alluding to stores and supplies of ships or to cargoes.

2437. I am asking you if you are aware of anything else which is placed under similar restrictions to ballast?—I am not aware of anything else.

2438. Do you look upon that as an insufficient ground of complaint?—I think the result of the five years' produce, in the way of payment, shows that it cannot be very great. The return of the last five years shows what it has been. (*See* Appendix.)

2439. The returns certainly show that there have not been any large transactions of the kind?—Precisely so.

2440. The ballastage above bridge, I think, is in the hands of the Conservators?—Entirely.

2441. When the ballast Act shall expire next year, would it not, in your opinion, be desirable to vest in the same hands the ballastage above bridge and below bridge?—I think not.

2442. Why not?—Because I think the Trinity Corporation having had the working of this ballastage system for so many years, and, as the Committee is aware, from the year 1853, they have established such a perfectly successful revolution in the working of ballast, by taking it out of the hands of the ballast heavers, who, I am prepared to show, made a man drink 18 *s.* out of his sovereign to get work at all; and also the documents I have before me, showing the ruinous operations of that system upon a class of men, 145 of whom, with their families, are now rescued from that condition; and when you look at the large quantity raised, and the enormous revenues that are passing in consequence of it, my opinion is that it ought to be in the hands of a body perfectly distinct from those connected with the ships A, B, or C, or any other body. The ballast above bridge is entirely, and always has been, in the hands of the conservators. That is a different kind of ballast; the two operations are perfectly distinct, below and above bridge. My impression is that the ballast system should be continued as it is. With regard to this very great difficulty of putting it from one ship to another, and depriving the revenue of the 11 *l.* a year, I think that might possibly be mitigated; and instead of 6 *d.* a ton, 1 *d.* a ton might be charged, or whatever might remove the great difficulty that is complained of.

2443. Could not the Conservancy Board conduct the same benevolent and beneficent system of interposing between the public-house keepers and the ballast heavers, which the Trinity House has commenced?—I am not prepared to say whether they would or not, because the Conservancy Board is one which is subject to changes; a man might be elected upon it this year, and not another; now the Elder Brethren of the Trinity House are elected for life, except they behave very badly, and are turned out, and we have had no instance of that; I think the safest system is to have one that is known, rather than embark in that which you cannot calculate upon.

2444. Are you aware of any other reason why the ballastage below bridge should not be transferred to the Conservancy Board, when the present Ballastage Act expires?—I know of no reason, except that to which I have alluded, the constitution of the Conservancy Board. I think that is very important, their undertaking to deliver ballast to ships. The one is a permanent Board, with certain distinct knowledge of the river, and for the examination of pilots, and the Elder Brethren have always given their attention to the navigation and to the removal of the shoals, and so on. Now the Conservancy Board may not always be so well qualified as it is now constituted; with such a secretary as they have, of course he is as perfectly well acquainted with the river as we are, as to the place where you shall get your ballast from, the depth to which you shall regulate your reaches, and so on; but I say it would be better to keep the duty with a body that is known to possess these advantages rather than give it to a Conservancy Board, which might not possess them in the event of the death of the present secretary or other changes, the Board being subject to repeated changes.

2445. What is the primary object of the Trinity House in dredging for ballast?—The grant was made to the Trinity House when there was no other authority who could possibly do it, in the year 1594; up to 1853, the grant gave them power to dispose of a certain amount of these funds to charitable objects, viz., the balance which, the Committee is aware, was then removed, and the surplus, to the extent of 3,024 *l.* 3 *s.* 11 *d.* on an average a year, since 1853, has been paid to the Mercantile Marine Fund; therefore, as far as the raising of the ballast is concerned, the Elder Brethren have not the slightest interest, to the value of one penny, beyond carrying on the system which works well and fairly for everybody.

2446. The object of the Trinity House in raising the ballast is to supply ships with ballast, is it not?—And to improve the river at the same time.

2447. The primary object is to procure ballast for shipping, is it not?—The one is coupled with the other; the grant of ballast involved the improvement of the river.

2448. Is that in the Act of Parliament?—Yes; I have the Act of Parliament here; I have the various Acts. It is for the better navigation of the river, to raise the ballast, and so to improve the river; that was a part of the original grant.

2449. Does the Trinity House dredge for any other material than that species of gravel which is used for ballast?—They do not.

2450. They do not dredge for sand, for instance?—They grant sand-barge licenses to certain parties, who wish to get sand from the river.

2451. But, in point of fact, they only dredge for ballast; is that so?—For ballast only, except that they license sand-barges. Prior to 1858, the sand-barge licenses were a mere bagatelle, and, until the conservators of the river availed themselves of the privilege of dredging, I was going to

* This letter was subsequently handed in. *See* Appendix.

to say consistently, for sand, prior to 1857, I have no hesitation in saying that the dredging above bridge was left almost to anybody who chose to go anywhere. When the Conservancy Board was established, this neglect naturally came to their notice, and instead of having it done in an irregular way, producing comparatively nothing, a system of license was immediately established, which I should say would have produced the City 1,000 *l.* a-year, if it had been done prior to 1857. When this system came into operation, and persons had to pay for dredging their sand above bridge, they naturally came below, and wanted to get their sand there. The Trinity House charged only 5 *s.* a barge up to 1858, a mere bagatelle; they then said to the applicants, in order literally to support the conservators in their views, "You shall pay us a shilling per ton per annum on the tonnage of the barge you employ to get it below bridge, because you sell this to the various builders, and make a good thing of it;" and the Trinity House receipts have been very much larger than they were before, from these sand-barge licenses. The average has been about 166 *l.* a year, and about 100 licenses.

2452. But in regard to the dredging operations, which are differently conducted by the Trinity House, the object is not so much to remove the shoals as to obtain ballast for shipping; is not that so?—No ballast is taken without the Elder Brethren being aware of the spot from which it is taken; and when you are taking ballast, you are removing a shoal.

2453. Are you speaking of the sand, or of the gravel?—Of the gravel, of course, fit for ballast; the sand and the ballast are quite distinct; they do not touch any ballast in any part of the river until the Elder Brethren give permission to the ruler to go and dredge on this shoal or the other, for the benefit of the river; they do not allow a man to dig holes, and go on digging, say, for his own ease, when he might, by removing his dredger, be improving the whole bottom of the river.

2454. You remember, I dare say, a great shoal which formerly existed off Woolwich?—Yes.

2455. By what means was that removed?—That has been removed by the conservators themselves, who have spent, within the last five years, the sum of 27,298 *l.* in removing the mud and the shoals from the river.

2456. Did they resort to the use of gunpowder for that purpose?—Not to remove shoals, I think; they do to blow up vessels, but not shoals; of course, that would only disturb the material.

2457. Have you no knowledge of the use of gunpowder for that purpose?—I am not aware of it.

2458. Mr. *Cave.*] Do you dredge all those shoals yourselves, or do you give licences to dredgers in the same way as the Conservancy Board do above bridge?—We dredge them ourselves with our own dredgers, the whole operation is under the management of the Trinity Brethren.

2459. You spoke just now of the ruler, will you explain what that means?—We have a man who is called a ballast ruler; he is employed on the river, and rules the men.

2460. Is he one of your servants?—Yes.

2461. Has the Conservancy Board any control over your dredging below bridge?—The Act gives them power that if we are dredging at an improper place they can restrict us from doing so, and can require us to dredge over any place which they think will be superior to the spot where we are operating.

2462. Then in point of fact, they can dredge themselves below bridge, can they not?—Not for ballast.

2463. But for the purpose of dredging shoals?—They may remove mud, of course.

2464. Then in fact they may dredge?—They may remove mud, but they cannot sell it as ballast, except we buy it from them; if they meet with any shoal which they consider will do for ballast, we buy it at once of them, and we should pay them so much a ton for it, thus assisting them in taking their ballast, and putting it into any ships that require it.

2465. In such a case as that, do the Conservancy Board do the actual dredging and deliver the ballast to you?—In such a case they do the dredging. Our barges, then go for the stuff and take it to any shipowner who will allow it to be put into his ship; we pay the conservators so much a ton and take it away. That operation has been going on for some time.

2466. Then it comes to what I said before, that the conservators can dredge themselves, they can require you to dredge, and they can prevent you from dredging?—Yes.

2467. Practically, I believe the conservators do not sell ballast?—No, except selling it to the Trinity House; to assist them, we take such material from them as they may have to dispose of, in order that we may assist them in the large sum which they expend in removing the mud.

2468. Do you dredge any shoals that are not available for ballast?—We do not.

2469. Then you expend no money, in fact, on the bottom of the river at all, that is not remunerative?—We do not.

2470. All the work at the bottom of the river, which is matter of outlay and expenditure for the public good, is done by the Conservancy Board?—That is done by them.

2471. Is the difficulty of getting ballast increasing day by day?—No, I think not.

2472. Do not you go further down the river to get it than you did?—No.

2473. Do you dredge the bed of the river for the purpose of getting ballast only, or do you get it from the shoals?—We get ballast from the shoals, and we take it from the river; wherever there is a shoal we take it.

2474. We have had it in evidence, that the shoals were diminishing very much under the operations of yourselves and the Conservancy Board; where will you go for ballast when the shoals are gone?—That is an hypothetical case; probably that question may be answered some years hence; I cannot answer it now.

2475. Then in your opinion the complaint of the shipowners that the supply of ballastage is diminishing, is without foundation?—I have no idea that it can be proved that the supply of ballast is diminishing; we do not have any difficulty in supplying any amount of ballast that may be required. I can inform the Committee of the quantity that we do raise, which is a marvellous quantity.

2476. I see, on looking at this account of the Mercantile Marine Fund, you received for ballastage rates, nearly 52,000 *l.* a year; that, of course, represents a very large quantity?—Do I

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understand you to speak of the ballast receipts and expenditure, or the balance remaining over?

2477. The gross receipts, the ballastage rates received?—I can give you the returns of the receipts and expenditure on account of the ballast from 1854 to 1862.

2478. That which I am referring to is the year ending December 1862?—The total receipts were 51,662*l.* 3*s.* 10*d.*, and the expenditure 43,537*l.* 10*s.* 6*d.*, but the average of the whole period is a balance of 3,024*l.* 3*s.* 11*d.* per year of receipts over expenditure.

2479. Then you have made 8,000*l.* in fact by the ballast?—This year is an exceptional year (there are various circumstances in the supply of ballast of rather an exceptional quality); I should say, therefore, we take a broader period, and the returns go over several years.

2480. Do you mean that the year 1862 was an exceptional year?—No, I mean the year 1863.

2481. But the return to which I am referring is 1862?—I do not think that was a very exceptional year, because the year before that was about the same.

2482. That makes it about 8,000*l.* a year, which you actually clear by raising and disposing of ballast?—That is taking that one and the preceding year; but we take a period of years, because of the cost of dredgers and various things; it is not at all just to take merely the one year in preference to the other; we take a period of years.

2483. I thought you said that the year 1862 was not an exceptional year?—I have gone upon the broad average; I do not take one year, because I could pick you out another, for instance the year 1857, where our receipts were only 39,734*l.* 10*s.* 1*d.*, and the expenditure 40,824*l.* 12*s.* 8*d.*, therefore in that year there was a loss, as also in the year 1855. (*See* Appendix.)

2484. I suppose that was from the expenditure being heavy?—I cannot tell what it was from so long back, from memory.

2485. What do you make the ordinary annual net proceeds?—The net balance from 1854 to 1862 was 3,024*l.* 3*s.* 11*d.* per year. (*See* Appendix.)

2486. Per year?—Per year.

2487. *Chairman.*] Was that the balance paid over to the Mercantile Marine Fund?—Yes.

2488. That comprises not merely raising and disposing of the ballast, but also some expenses connected with the ballast heaving?—All.

2489. Mr. *Cave.*] How is the Trinity House constituted?—There are 31 members, 20 are working members, of which I am the deputy master; there are 11 honorary ones, the honorary Brethren are selected with the approbation of the master and the Elder Brethren; the Elder Brethren are selected amongst themselves.

2490. They are self-elected, in fact?—They are self-elected.

2491. Do you think that this constitution is one that insures the management of the river being carried on properly, better than the more openly constituted body, if I may so call it, of the Conservancy Board?—I think so.

2492. If that is your opinion, of course you would think that a Conservancy Board, elected entirely upon the representative system, would be still less efficient than the present Conservancy Board?—I think so.

2493. You mentioned the ballast heavers a little while ago; I think that the whole of the work is not done by your ballast heavers, is it?—Certainly not.

2494. How much of it do you perform yourselves?—I will give you the account of the last nine years.

2495. *Chairman.*] Will you give the Committee the number of ballast heavers employed upon the Thames?—There are 145 regular men, and occasionally 60 more, as the work presses; there are 145 on the list, to whom the work is apportioned out, as it may be required, and in times of pressure we put on 60 or 70 more, as may happen.

2496. How many of those men are in the regular employ of the Trinity House?—About 145 as ballast heavers.

2497. That is the whole number of the men regularly engaged in the business, is it?—Oh no, there are 418 men in the ballast service.

2498. I am speaking of ballast heavers, how many are there of those?—One hundred and forty-five.

2499. Then there are 145 men employed by the Trinity House?—Yes, as ballast heavers.

2500. How many men are there employed in the whole business of heaving ballast on the Thames?—Occasionally 200; we take on the extra men for heaving just as the parties apply to have it hove by themselves or the Corporation; I was going to give the Committee the statement of the quantity hove.

2501. Mr. *Cave.*] I want to get the proportions in which the work is done by the Trinity House and by individuals?—From the year 1854 to the year 1862 the ballast hove by the Trinity House per year was 367,110 tons; and by publicans and others, 124,443 tons; and by aliens, that is the foreigners, who heave their own ballast to save expense, 4,669 tons, that is the proportion of the work. (*See* Appendix.)

2502. Then, in point of fact, speaking roughly, you do about three-fourths?—We do; the corporation annually raise 591,699 tons; that is the quantity, and in addition to that, we paid the conservators for 22,856 tons at the rate of 2½*d.* per ton.

2503. When you mention the bad condition of the ballast heavers before you took them into your own hands, would you say that those ballast heavers, who are not now under your control, are in an equally bad condition, as the whole formerly were; I understand you to say that three-fourths of the ballast only is heaved by you; is that so?—Yes.

2504. And the remaining one-fourth is heaved in the old way?—Yes.

2505. I want to know whether the men employed by private individuals, under the old system, are still in as bad a condition as the whole formerly were?—I am not prepared to answer that question.

2506. You do not know, of your own knowledge?—I do not; we only know those men who are immediately connected with us; and, as I said, I am prepared in one instance to prove that a man had to drink 18*s.* out of a sovereign, and 12*s.* and 14*s.* was not at all uncommon.

2507. That was in former years, was it not?—It was in former years.

2508. You do not know whether that bad system is still carried on amongst these men?—I do not know.

2509. Have you heard any complaints from shipowners

shipowners, that the men you send as ballast heavers are not up to their work?—No.

2510. Have you heard no such complaints at all?—No.

2511. If there were such complaints, would you think that they were either unfounded, or that it might apply to some of those extra men that you took on in times of pressure?—It would be immediately reported and enquired into upon such a complaint reaching the House from any body, of any man connected with the Trinity House, whether it had regard to the regular men, or those taken on.

2512. Do you think such a complaint could by possibility be well founded with regard to your extra men?—I think not; because they are men that are in the ordinary course applied to and are always ready to go to this work.

2513. We have heard of the difficulty of transferring orders for ballast from ship to ship; I do not mean transferring ballast, but supposing one owner has two ships, and he has ordered you to ballast one of them, and that he then changes his mind and wishes to send away the ship in goods, and to have the ballast placed on board the other ship, would there be any difficulty in transferring that order?—I should say none; I should say there would be no difficulty, because the entry is first of all made by the master or agent at the Trinity House, stating the ship's name, the place where she is lying to receive the ballast, the master's and owner's name, and whether they require the ballast to be hove by the Corporation or not; that is the first process; the clerk in attendance then immediately makes out the bill, stating what is required and the amount to be paid, if the parties do not pay for heaving; they then go to the ruler's office at Wapping, or according to the station near which the vessel is; the ruler immediately takes down this application, and requires them to state at what time the ballastis to be alongside the ship; for the convenience of those who want the ballast to be hove, regular forms are kept at the Trinity House, in which their agents have entered and paid for the ballast, and they also enter the time at which the ship is to be ready to receive it. That intimation and the warrants are immediately then transmitted to the ruler's office, between the hours of 12 and 4, and there is no further trouble to the parties seeking to have the ballast. The ruler, on the receipt of the documents, immediately apportions the work of the several lighters and barges to the ships that are reported ready for it, taking care that every vessel is supplied in the regular order, that A. is not to be supplied before B., or B. before C.; they are supplied in rotation, according to their booking, and to those vessels for which the heaving has been paid the ruler sends a written notice to the ballast heaver's office, stating the time at which the men will be required, and a minute authorising the heaving of the ballast, and showing the number of men required; then the ruler apportions the barges and lighters to the dredgers, wherever they may be, that they may most conveniently go to their work.

2514. Suppose that the ballast is ordered for the "Jupiter," and when the barge goes down, it turns out that the "Jupiter" is not there, but that the "Juno" is, and that the "Juno" belongs to the same owner as the "Jupiter," would there be any difficulty then in loading her with the ballast?—I should say there would be no difficulty, but there would be great irregularity on the part of the owner who had ordered ballast for one ship and let another take it.

2515. But supposing that the owner had given you reasonable notice, would there be any difficulty then?—None, if the ship was lying in the same position.

2516. Then you think generally that there is no detriment to the public interest in the apparent conflict of authority between the Trinity House and the Conservancy Board?—I believe none.

2517. And that no inconvenience can arise?—I do not apprehend that the slightest inconvenience can arise, because the two Boards have but the one object in view in common, namely the improvement of the river by itself, as a river, without reference to any parties.

2518. You expressed some doubt about the Conservancy Board being always as good as it is now, in consequence of its constitution; supposing it was not, and that it tried to throw difficulties in the way, can you see any way in which a conflict might then be detrimental to the public interest?—That is a sort of hypothetical case that I am really not prepared to go into; I may first imagine that we have a perfectly inefficient Conservancy Board; I can only speak of the principle, that where a Board is changing as this may be, it is not so fitted to take up a large public question as a Board like our own, the members of which remain there permanently, except when dismissed for impropriety of conduct.

2519. That is a question that the Committee must go into and decide for themselves, because it has been suggested that the powers of the Trinity House in the river, particularly with regard to ballastage, should be handed over to the Conservancy Board?—The wisdom of Parliament must decide upon that, I suppose.

2520. You would not agree with this Committee, I suppose, if it was to report that it would be better for the public interests?—Unless the Committee could show that it would be better for the public interests.

2521. It is not your opinion that it would be?—Certainly not; because I imply that the removal of it would necessarily lead to the inference that we had as Trinity Brethren, not done our duty or that we were more or less influenced by it; on the contrary, I have just said we are not influenced to the exent of one single penny, but we stand in the independent position of not knowing the "Jupiter or the Juno," or A., B., or C., except as they put their names down in a certain book in our office; our position gives us that independent place which I think all men connected with the management of the river should have, and not be changeable, as the Conservancy Board may or may not be.

2522. Mr. *Lindsay.*] Allow me to put a plain case: supposing these vessels, the "Jupiter" and the "Juno," belong to one owner, and the "Jupiter" had ballast which the owner wanted to get rid of, and the "Juno" wanted ballast, do you see any reason why the "Jupiter" should not be allowed to transfer her ballast over to the "Juno"?—I see no reason why she should not.

2523. Then why do you call upon the owner of the "Jupiter" to go through the process which you have described, and to pay you 6*d.* per ton for the right of transferring his own ballast from one ship which he owns to another ship which he owns?—The section of the Act of Parliament

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gives that power; that section has long been in operation, and the parties have suffered from it at the rate of 11 *l.* a year for the last five years.

2524. But do you think it is just that the owner of the "Jupiter" should not be allowed to dispose of the ballast which belongs to him, and put it into another ship of his own without being required to pay you 6 *d.* a ton for it, and wait perhaps a couple of days before he can get the transfer?—I think I might defy anybody to prove that a ship has waited two days for such a transfer.

2525. But do you think he has any right to wait two hours?—Yes, I do.

2526. For what reason?—Because the ballasting is under a certain system, and we see no reason why, an Act of Parliament being in existence, the owner of the "Jupiter" and "Juno" should not work up to that Act of Parliament. If you choose to take that section out of the Act, I suppose the Elder Brethren could not demur to it. You ask me, whether I think it is right, and I say I think it is quite right that while an Act of Parliament exists it should be carried out. I am merely informing the Committee of the extent of the grievance.

2527. *Chairman.*] The right is in the law?—Yes, and we obey that law.

2528. But, supposing the Act to expire, which is the case to which the Honourable Member refers, would you then think it desirable that the owner of the "Jupiter" should have to pay for putting his own ballast into his own ship, the "Juno"?—Speaking individually, I should say not, provided the Trinity Brethren were aware that such a change was to take place.

2529. Supposing there was no such law, what would you say?—Speaking individually, I should say that there would be no objection, provided we knew that such a change had occurred, because if not, the Jupiter might get the ballast from some other parties, and say that he had got it from the Juno.

2530. Mr. *Longfield.*] You say that in truth there is very little practical inconvenience from this practice?—I believe there is very little practical inconvenience. Cases such as have been just described have occurred very rarely, and I think I may say I can defy anybody to prove that the Jupiter has had to wait two days before she could transfer her ballast to the Juno.

2531. The practical inconvenience is represented by the sum of 11 *l.* a year from all the shipping in the port?—I am prepared to put that in evidence.

2532. Is that your answer?—Yes.

2533. Does that represent the amount of the practical inconvenience?—For the last five years, from 1856 to 1862.

2534. Will you tell the Committee the practical good which results from the monopoly of supplying ballast being vested in your Board?—The practical good is, that you have a body of men thoroughly acquainted with the river, necessarily acquainted with it from examining pilots and being conversant with it from the time they formed the body, and also from being perfectly independent of all local influence from the privileges of their charter, they are the body to preserve it, and are best fitted for it.

2535. Would you go so far as to say that economy, certainty of supply, and speedy supply, are consulted by your monopoly?—I will do so, and I will say that the ballast heaving established under the sanction of the present Act of Parliament, reduces the price of ballast to the shipowner, at the rate of 2 *d.* per ton.

2536. Then you think there is a difference in your monopoly, and a monopoly under which the public might complain of being obliged to buy coal, shoes, or clothes from any individual?—I think so.

2537. This monopoly, I think, dates from the time of Elizabeth, does it not?—From 1594.

2538. Sir *John Hanmer.*] Would you not say that your superintendence rather saved the ballast heavers from the exactions of the publicans?—Until we undertook to heave ballast, the heaving of ballast was in the hands of publicans, butchers, and tradesmen along the river side, who only employed men who would go and drink, and eat, and take their wages out, benefitting them by it; it became such a grievance, that it was brought to the knowledge of the Trinity House, by means of papers and pamphlets, which I have here; it was then determined, the Prince Consort taking the lead in the work, that we should undertake to heave ballast at a constant loss of pretty nearly 2,000 *l.* a year, to keep these men under a certain system, and thereby enable them to supply themselves as they have since done with provident funds, sick funds, and so on. The pamphlets that I have here are public documents that were published on the subject; the result of it is that the shipowners are constantly availing themselves more and more of that privilege, and they get their ballast at 2 *d.* a ton less, when hove by our men, than they can get it done by anybody else.

2539. Mr. *Longfield.*] How often does the Trinity Board meet?—The Board meets every Tuesday.

2540. What is the average amount of attendance of the working members, if I may so call them?—I am speaking for myself, as the deputy master. I am there nearly every day except Saturday, and there are some members there every day.

2541. I am at present speaking of the meetings of the Board?—They meet on Tuesday; all the members are there, except those absent on duty.

2542. All the members?—All the members; and if there are any pilots to examine, the Examining Committee examine them.

2543. How many do the working members consist of?—There are 20 working members.

2544. How many of those 20, on an average, attend at the weekly Board meetings?—I should say, that pretty nearly all of them attend, unless they are sick, or absent on duty.

2545. May I say that 12 out of the 20 attend upon an average?—I think you may say 16.

2546. Are any of those brethren paid for their attendance?—The elder brethren are all paid, and I think they are the worst paid body in England, considering the important duties they have to perform.

2547. What is the pay of your elder brethren?—£. 300 a year.

2548. Each?—Each.

2549. Is that payment without reference to their attendance, or is it a certain sum divided among them?—They get 300 *l.* a year, without reference to their attendance, and a small sum for attending Committees, which comes to about 25 *l.* a year.

2550. Do you, as deputy chairman, receive any additional

additional sum?—I have the honour of having two shares, or the sum of 600*l.* a year.

2551. Then the difference between your Board and the Conservancy Board is that yours is a paid corporation and the members of the Conservancy Board have no salaries at all?—The Conservancy Board at present is not paid, but as I said, in 1857, when they commenced, that it was a disgrace to the City of London that it was not a paid Board, because no man has a right to go and take such important steps as the Conservators do and not be paid for it.

2552. Therefore, you think that the demand which the Conservancy Board made to Parliament this year, to be allowed to have the sum of 1,200*l.* a year among them was not an extravagant demand?—On the contrary, I think it is a thing which should have been done in the first instance.

2553. Do you think it would be advisable that instead of a daily election of a chairman of the Conservancy Board there should be a fixed chairman, and, as is the case in your corporation, a deputy chairman to proceed in his absence?—I attended the first meeting at the Mansion House, Alderman Finnis was then Lord Mayor; I pointed out to him that this 21st clause, I hope I may be pardoned for using the expression, is a disgrace that an important Act of Parliament like this should have this clause: "At conservancy meetings, the Lord Mayor, if present, shall preside; and in case the Lord Mayor be absent, then the conservators present shall appoint some one of their body to preside as chairman for the day, during the absence of the Lord Mayor."

2554. Do you think that that is a provision which requires altering?—Certainly; and I say more than that; it is a thing that could not possibly work; no man should be there as chairman without being able to give his attention to all the interests that are involved, and to decide between A, B, and C, as the case may require.

2555. Do you think then that there should be a permanent chairman, and a permanent deputy chairman?—I think there should be a permanent deputy chairman.

2556. Would you think that the chairman or deputy chairman should be paid a higher salary for his attendance?—I think he should.

2557. Do you think it should be a fixed salary?—I think it should be a fixed salary for him, and that the other members should be paid according to their attendance.

2558. Do you see any possible advantage resulting from the chairman being the Lord Mayor who cannot and does not attend?—I think this argument might be used with respect to the Conservancy Board, as it is for the Trinity Corporation, we have the honour of having a Master. I think the Lord Mayor might be the *ex officio* Master of the Conservancy Board, to be called in when occasion required, but that the working of the Board might be perfectly distinct when that gentleman could not attend. I have with me a return of the attendance of the Lord Mayors at the Conservancy Board, and I find that Alderman Finnis, when he was Lord Mayor, attended eight times. Sir Robert Carden attended twice, Mr. Alderman Wire attended six times, Mr. Alderman Carter attended twice, Mr. Alderman Cubitt twice, Mr. Alderman Cubitt again once, and Mr. Alderman Rose 12 times.

2559. Then you think it would be a very important alteration to enable the Conservancy Board to appoint a permanent chairman, a salaried chairman, and that a salary should be given to the different members for attendance?—I think the deputy chairman, or whatever name you might give him, should be paid such a sum as would enable him to attend day by day, because, if he does not do the work, it must necessarily go into the hands of the secretary and other persons.

2560. Do you think also that a paid Board is more responsible to the public if they receive salaries from the public?—Decidedly so; because I think there is no labour which is so dear as unpaid or cheap labour, unpaid labour is never to be depended upon.

2561. *Chairman.*] But is that the case with regard to the present Conservancy Board?—No.

2562. Mr. *Longfield.*] Do you think that although a Board at its first institution may work efficiently when unpaid, that in the long run it might degenerate into a mere formality?—Decidedly so; I go back to the beginning of the Conservancy Board; I was one of the first appointed upon it; its principles of working were framed from the positive facts of the arrivals of vessels, the destination of those vessels to docks and canals during the year 1856, &c., and the whole system is now worked on that certain base, and I say the Conservancy Board is considerably indebted to Mr. Thorpe, who took the work up, having been one of the most active members in the previous Thames Navigation Committee, he threw himself into it and worked at it, and it has been very mainly dependent on his being enabled to give the constant attention that he has done that the Board has gone on so efficiently.

2563. Then you think that the two provisions which I have mentioned and which have been lately sought by the Board are reasonable, namely, to appoint a master and also a salary to the members in proportion to their attendance?—I think they are perfectly reasonable, and I may say that this is a subject which has been discussed by the members of the Board from the time of its institution till now.

2564. Do you know a class of boats called bum-boats?—Yes.

2565. Do you think it would be useful or proper to vest the general superintendence of those boats and a body in that class of trade in the Conservancy Board?—I think it would.

2566. Do you think it would have benefited the public?—Decidedly so.

2567. I suppose they want regulating as much as the public houses?—Decidedly so, and I should say more, because bum-boats on the river are under less surveillance than public houses on shore.

2568. Then you would think it a reasonable provision?—Quite so.

2569. Has not the Trinity Board the lighting of the coast generally?—Yes.

2570. What connexion can you see in the fitness of things between the lighting of the coast of Great Britain generally and the ballasting in the particular port of London?—That is like a mathematical question put to you in college; I cannot see the slightest connexion, they are perfectly distinct operations; I cannot see any connexion at all.

2571. Mr. *Ewart.*] Would you elect the chairman and deputy chairman to remain in office as long as they continued members of the Board?—I would

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I would have the deputy chairman elected from year to year.

2572. And the chairman?—I would have the Lord Mayor always to be Master of the Conservancy Board.

2573. Are you deputy chairman of the Trinity House?—I have that honour.

2574. Are you elected from year to year?—I am.

2575. How is the chairman elected?—The Master is elected from year to year; all our offices expire on Trinity Monday, and then we are put in nomination again for the following year.

2576. And there is no particular number obliged to go out by rotation?—No.

2577. *Chairman.*] The present Master is Lord Palmerston?—Yes; and I am happy to say that he has accepted the office for the next year.

2578. Mr. *Ewart.*] With reference to the charge of 6*d.* a ton, although you charge that, you do not incur any expense as regards the transfer of ballast from one vessel to another?—No; if the vessels lay by the side of each other there can be no expense. If the ballast is put into a barge, then, of course, there is the expense of 6*d.* a ton; as ships are compelled to put the ballast above high-water mark, or to put it on board a barge, the transferring it from one vessel to another does not incur any additional expense.

2579. But you have the right, under your Act, to charge, and you do charge it?—Yes, that is the great grievance of 11*l.* a year, paid by the shipping of the port of London.

2580. Do you keep any stock of ballast?—No, the machine is our stock; the dredgers are always ready to supply any quantity required.

2581. Then you do not store the ballast anywhere in order to supply the shipping?—We cannot store it.

2582. But you have no depôt, I mean?—Oh, no.

2583. In alluding to the expenses relating to ballast, did that include merely the cost of dredging, or did it include any other items?—All the cost of dredging, the wages of the men, the cost of the dredgers, the repairs, and, in fact, all the expenses.

2584. And not a transfer of any part of those expenses to some particular fund?—No, not at all; the net receipts and net expenses, and the balance handed over as described.

2585. The simple cost of raising it?—Yes.

2586. Mr. *Cubitt.*] Are there frequent changes from year to year in the Board of Conservancy as it is now established?—I think the only changes are those which are sometimes made by the officers in the Government Departments, which have all been changed since 1857, and the Lord Mayor, there is no other change except when members of the Common Council are promoted to be alderman, a case which has occurred, and when an alderman becomes a Lord Mayor.

2587. You spoke of a changeable body, elected annually, not being so competent to take the charge of the supply of ballast as the Trinity House, which is a permanent institution?—Simply from the fact that it has been declared by members of the City themselves that if you made it a paid Board there would be a greater struggle for the position, and therefore you might not have the same superior class of men; therefore I say, if you make it a paid Board, it might be a changeable Board, and you could not tell, with all these conflicting interests, whom you might have on the Board.

2588. Still you think it better they should be paid?—I think they ought to be paid; a Board carrying out so important an Act should have been paid from the first.

2589. I think you imputed to the City, that it was a disgrace to the City they were not paid?—I think so.

2590. What could the City have had to do with it, seeing that the Board was established by the Legislature?—I think myself that the Lord Mayor for the time being might have stipulated that such a Board should be paid, but I believe the authorities had not considered the importance of the Act of Parliament, and how it would work.

2591. I think you have stated that there is a clear revenue of between 3,000*l.* and 4,000*l.* a year which you hand over to the Mercantile Marine Fund for charitable objects which they carry out?—I am not aware what the objects are; the money is paid over to the Mercantile Marine Fund; as to the immediate operations, whether for charitable or other purposes, of course that remains with others, and is shown by the returns made to the House of Commons as to the appropriation of the fund.

2592. Supposing that the Board of Conservancy, by the practice they have now had upon the river, and which they may hereafter obtain, were to be thought fit to carry out these operations, do you see any disadvantage that would arise to the Trinity House?—Yes, decidedly so; because the inference would be that the Trinity Brethren had not done their work properly as to the ballasting operations; and although, in a pecuniary point of view, they do not benefit to the extent of a penny, yet I consider that the honour of the corporation is involved, from their having so long controlled it, and it would be tantamount to a vote of censure or reprobation to take it out of their hands. I again repeat, fixed as the Trinity Corporation is, it is better qualified to carry out these operations than the Conservancy Board, which might become a changeable one.

2593. Mr. *Ewart.*] Supposing that it were brought under your notice that a shoal of gravel existed, which you were not aware of, would you immediately remove it, although you might not have any demand for the ballast?—I am not aware that such a thing could be, that there could be any shoal that we were not aware of.

2594. Do you immediately remove every shoal that you are aware of?—Certainly.

2595. Without reference to the demand for ballast?—Certainly; and I say, considering that the Elder Brethren have to examine pilots every week, every shoal in the river must be known to them; and the ballast is taken from those shoals which appear most dangerous to the navigation of the river.

2596. *Chairman.*] Supposing the shoal did not consist of gravel, or matter fit for ballast, would you then remove it?—No; the Act of Parliament expressly defines our duties for the purpose of ballasting vessels.

2597. Mr. *Hodgson.*] Then this is true, that the Trinity House will not remove any shoal, the material of which is not fit for the purpose of ballast?—Quite so.

2598. Will you tell me why you make such a point of the Lord Mayor being the Master or chief of the Conservancy Board?—Because from time

time immemorial the conservancy of the river has been vested in the City of London.

2599. Is that the only reason?—That is the only reason, and I say that, connected with the City of London, the Lord Mayor is the proper authority to be master of the conservancy; as in various other ports the conservancy of the river is vested in the authorities of those cities or ports.

2600. I gathered from your evidence, that the Lord Mayor had not been, generally speaking, a very attentive member of the Board; is that the case?—Certainly, the duties of his office call him elsewhere.

2601. Therefore he could not be a very effective member of the Board at any time?—I do not think it possible.

2602. But, being Lord Mayor, you think it is advisable he should be at the head of the conservancy of the Thames?—I think so.

2603. As an ornamental member, rather than a useful one; is that so?—As a useful member when cases arise. I will take the analogy of our own corporation; I am sure the Committee will not presume to say that Lord Palmerston is a useless man; he is the master of our corporation.

2604. Do not argue if you please, but answer my question?—I am endeavouring to do so; Lord Palmerston may not be called upon to come to our Board at all, and the Lord Mayor might not be called upon to attend the Conservancy Board, but they would be the honorary heads of each Board; Lord Palmerston being master of the one, and the Lord Mayor of the other, in such a manner as to be called upon when cases occurred which might require it.

2605. Upon what particular occasions do you think it desirable that the Board of Conservancy should have the honour of a chief to attend their meetings, in order that the duties of the Board may be properly conducted?—I do not quite understand the question.

2606. I want to know, under what circumstances you think it advisable, in order that the Conservancy Board should work to the best public advantage, they should have the presence of the Lord Mayor as their chief?—Because, first of all, the Lord Mayor of London is the first magistrate in the City of London.

2607. That is no answer; what I asked you was, under what circumstances or on what occasions you thought it desirable that the Conservancy Board should have the benefit of the presence of their chief, he being the Lord Mayor?—Because, if a case occurred of a dispute between any authorities for instance, they would then call upon the Lord Mayor to represent them; we will take the case of having to appeal to the Government; the Lord Mayor would then immediately be charged with such a position, and he would represent them, and, in my opinion, he would be the fittest man to do so.

2608. Why?—Because he is the Lord Mayor of the City of London; the first city in the world.

2609, Forgive me for reminding you that I am speaking of the duties of a Board of Conservancy?—Precisely so.

2610. Then under what circumstances, I ask again, would it be of advantage to the performance of the duties of that Board that the Lord Mayor, as their chief, should attend their meetings?—I do not say that it is necessary for him to attend the meetings at all, it is only necessary to have him to refer to in the event of a difficulty.

2611. In the event of what difficulty?—Any difficulty that might arise.

2612. You cannot give us any more precise definition than that?—I cannot deal with any hypothetical case; I can only deal with facts.

2613. Does that remark at all apply to the two alderman and four common-councilmen, who likewise form a portion of this body?—The aldermen give us the benefit of their regular attendance.

2614. I am speaking of the constitution of the Board; is it your opinion that the office of alderman or common-councilman may render it advisable that the members of the Conservancy Board should be appointed from that body?—I think so.

2615. Why?—That is my opinion.

2616. Can you give any reason?—None; I only know the working of it.

2617. Do you mean to say that in your opinion aldermen *qua* aldermen, and common-councilmen *qua* common-councilmen of London, are better fitted for the discharge of the duties of members of the Conservancy Board than any other men?—I am not acquainted with any other men than those I have been working with since the time the Board has been established; they have been aldermen and common-councilmen, they have been nearly the same men; I speak of the present constitution of the Board, I cannot say if gentlemen were taken from outlying places how that Board would work; I am only speaking of those that I have worked with and know the value of.

2618. Then you found your opinion upon the individuals you have worked with?—I found my opinion upon facts since the Board has been established, upon the working of the Board, which amounts to facts.

2619. Is it not founded upon the qualifications of the individuals of the Board?—Yes, the individuals of the Board.

2620. And not upon facts?—It is a fact that they are there, and it is a fact that they are aldermen and common councilmen, and it is a fact that a common councilman, Mr. Thorpe, has had the whole heading of the work.

2621. Mr. Thorpe is a common councilman, is he?—Yes.

2622. If I understand you correctly, Mr. Thorpe has been a most efficient member of the Board?—Most decidedly so.

2623. Do you think he would have been a less efficient member of that Board if he had not been a common councilman?—I cannot tell in what respect promotion might have changed him, he might have become a vain man, and therefore not so useful.

2624. Can you tell whether his efficiency depends upon his being a common councilman?—I cannot tell what his efficiency depends upon, I only know that he is an efficient man, and he is a common councilman, and that the Court of Common Council have sent him there.

2625. Mr. *Cubitt.*] Perhaps you know that he was a member of the Navigation Committee, and perfectly qualified for his work?—Not only that, but he was immensely useful in bringing forward the present Conservancy Board.

2626. Mr. *Longfield.*] *Primâ facie*, I presume, it is your opinion that the aldermen and common councilmen know more about the City and its trade

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trade than men unconnected with it?—I will not go to the extent to say that they know more about it; I can only say, that as aldermen and common councilmen, they have done their work well; I cannot, of course, say what other men know of their business.

2627. Do you think that those two classes ought to know something of the trade of London?—I will not say what men ought or ought not to know; I can only say what they did.

2628. Mr. *Ewart.*] I suppose they are generally men of business?—Certainly.

2629. Mr. Alderman *Salomons.*] I suppose what you mean to say is, that the selection has been good?—Excessively good; the one absurd point is the constitution of the chairman from day to day, which has deprived the Conservancy Board of having the certain weight and influence which that Board ought to have in the embankment of the river, and all other things pertaining to the Thames.

2630. Sir *John Hanmer.*] Does your weekly examination of pilots relate to changes in the waterway?—It has connexion with the river, with the changes, and removal of shoals.

2631. Is there often a change in the shoals, caused by tides, or the operation of the water?—Not very often; and if the present arrangement goes on of taking shoals and mud from the river, there will very soon be few shoals to guard.

2632. *Chairman.*] Upon the whole, do you think that the present Board of Conservancy has worked well, and done great service to those interested in the river?—Perfectly so.

2633. As an experienced marine officer, do you think that the navigation of the river has very greatly improved since the Conservancy Board has been established?—There is no comparison of the difference; there has been a great improvement in every possible respect.

2634. Have the members of the Board attended with great assiduity, notwithstanding the fact that they have not been compensated for their services?—Most decidedly so.

2635. The *Lord Mayor of London.*] With regard to a question that was asked by an honourable Member as to the origin of this Board, it has been provided of course by Act of Parliament that the Lord Mayor for the time being and so many members of the Court of Common Council, should form a part of the Board?—Yes.

2636. This Board had to take up the work which the Corporation had been doing for centuries?—Yes.

2637. And therefore there would be a natural affinity between the Corporation and this body, would there not?—I should say a right.

2638. With regard to the appointment of a deputy chairman, was there not a difference of opinion at the Board upon that point, and also on the payment clause?—I am not aware of any difference of opinion upon the payment clause; they were always anxious to be paid, and I think should have been paid from the first. As to the appointment of the deputy chairman, I do not think there can be a doubt as to Mr. Thorpe's being the man who ought to have that authority, as he has been the man to exercise it from the very first.

2639. I understand you to say, by virtue of your position in the Trinity House, you have a payment of 300*l.*?—I have 600*l.* a year as Deputy Master.

2640. You are always paid for attendance, are you not?—I am not, beyond the 600*l.* a year. The Brethren are paid for attendance on committees a sum which amounts to 25*l.* a year.

2641. By virtue of your appointment, you are also a member of the Conservancy Board, are you not?—Yes, I am *ex-officio* a member, and am considered immediately next to the Lord Mayor.

2642. Have you made any calculation as to the amount of payment that would come to the deputy chairman out of that sum of 1,200*l.* a year?—I have never gone into that question. That sum was merely named as being the sum to be appropriated amongst the members. The detail of the division I have never heard talked about.

2643. Do you know whether the members of the Corporation look upon this as an honourable position?—I have no doubt they do; and I think they have great reason to do so.

2644. Without the payment?—Without the payment.

2645. In the event of any of the Corporation being withdrawn from the body, would there not be plenty others ready to come forward on the present terms?—I am not prepared to say whether others are ready or not to come forward, but I am quite satisfied that no one could come forward who could give an opinion worth a rush compared with the men who have been doing the work. It must take a man some time to make himself acquainted, not only with the river itself, but with the various conflicting interests on it; any stranger coming in must necessarily have to go through that same ordeal.

2646. Had the members of the Board, who were nominated by the Corporation, been members of the previous Navigation Committee—I believe all.

2647. You made some remark about payment, and the inefficiency of the service that was rendered without payment; Members of Parliament are not paid, are they; where would you charge the distinction?—I am quite ignorant of the advantages which Members of Parliament have.

2648. The proposition, that the deputy-chairman should be appointed by Act of Parliament, and that the right of appointing him should be vested in the Board, and the matter of payment, were not matters that were unanimously agreed upon, I believe?—I think your Lordship was the only party who did not agree to it. I am not aware that any other member did not agree to it.

2649. Will you give the Committee the benefit of your opinion as to the position of the Chairman; if you had a deputy-chairman appointed, would not the Lord Mayor, for instance, then be considered an intruder upon the ordinary business of the Board?—Certainly not when he was summoned to attend; he might attend, as the Master of the Trinity House might, on great occasions.

2650. Then he would only be summoned upon great occasions?—Certainly.

2651. Therefore, if he attended at any time, when he was not summoned, would he not be an intruder?—I do not consider that he ought to be there, unless he is summoned; he would be summoned as a referee.

2652. Mr. *Longfield.*] In point of fact he does not go there, does he?—He does not.

2653. The *Lord Mayor of London.*] In point of fact he does, does he not, because you have given in a return of the attendance of the Lord Mayor?—I think

—I think the rule is, for the Lord Mayor to come and take his seat, to establish himself, and to come personally once or twice afterwards; you have attended more frequently, but you could only have attended to hear the Minutes read, and so on, and could not go on from day to day; it would be impossible for you, therefore, to take up the work as a man would do who was attending the Board day by day.

2654. Will you point out any distinction between the work which is now performed at the Board, and the work that was performed before the Navigation Committee?—It is as different as light from dark.

2655. In what respect?—Because in one case the present Conservancy Board have the control of the whole of the shipping, and the whole system has been re-organized, whereas under the Thames Navigation Committee the organization was so imperfect that the whole thing had to be re-constructed, and it was re-constructed in point of fact, upon a certain basis. I am not blaming the Thames Navigation Committee for what they did, but they were under the control of their harbour-masters. When the Trinity House and other professional members went on the Board, the harbour-masters were thrown over; they were merely told what to do; orders were given them to do what no member of the Thames Navigation Committee could do, and the whole thing was put upon a new phase.

2656. That is your individual opinion?—That is my opinion, and it is founded on facts, because when the Conservancy Board was first established we tried to get information as to what had been the working of the harbour masters and all connected with them, and we found it was all a perfect mystery, we could not understand it, therefore as a member of the General Purposes Committee, I had all the documents of the year 1856, the past year, all the books, and so on, before me, to show what had been done. I went over every day's work of 1856, and I could enlighten the Committee as to what the harbour masters did during those days, where all the vessels went to, and all about it. It was upon the strength of those documents, and those alone, that the present system was constructed; orders were issued and bye-laws made, and the harbour masters, instead of telling the Thames Navigation Committee what they were to do, were told by the Conservancy Board what they, the harbour masters, were to do, and that was the difference.

2657. Mr. Alderman *Salomons.*] In your opinion, the very shifting of the Lord Mayor annually as your chairman you think is a disadvantage at your Board?—Decidedly, it must be so.

2658. Do you think it would be an advantage to have some permanent officer, whose knowledge of the business of the Board should be continuous?—I submit it must be so, except as in the case of the Trinity Board, where the Brethren elect their master from year to year.

2659. Therefore the Lord Mayor is rather the honorary head than the working head, you think?—The changing of the Lord Mayor from year to year must necessarily make his influence less.

2660. Mr. *Longfield.*] In your opinion, he is honorary in rank and useless in fact?—I will not say that, because there might be a necessity for some reference, as I have said.

2661. But that is hypothetical, is it not?—Perfectly so.

2662. Your returns show, that a gentleman in his position, attends twice out of 150 times, I think?—Of course the duties of the Lord Mayor are more important elsewhere; he cannot continue his attendance from day to day; he cannot go to a man's wharf, and see whether his piles want mending, or say to him, "You have got your piles out of place, put them back again," or anything of that sort; he has not time for it.

2663. The other functions of the Lord Mayor are exceedingly important, I presume?—I cannot say how important they are; that must be best known to those who are acquainted with the duty, and with the value of the City of London.

2664. Mr. Alderman *Salomons,*] You have spoken of the great improvement of the river since the Conservancy Board has been established, as regards shoals and other matters?—Yes, there is no comparison, not only in the removing of shoals, but also in the ordering of the vessels, and I am prepared to give you written testimony to that effect, from persons using the river as sailors. I am speaking as a sailor, and I hear sailors constantly declare that great improvements have taken place. Since the system has been in operation there has hardly been a complaint as to the arrangement of vessels.

2665. With regard to shoals and so forth, has not that matter been very much facilitated by the settlement of questions between the Crown and the Corporation, as to the bed and soil of the river?—If you mean by the amalgamation of all the interests into one, I say decidedly so.

2666. You know that there was a suit open with regard to the bed and soil of the river, do you not, between the Crown and the Corporation?—Yes.

2667. Did not that conflict of jurisdiction affect the removal of shoals and other things?—It prevented the application of funds for that purpose. The conservators have spent 27,298 *l.* on the River Thames within a few years, in removing mud, which they could not have done without there had been that amalgamation, and without power to use those funds.

2668. Then, without casting any reflection upon the government of the river before 1857, do you think that the settlement of the question between the Crown and the City has had a tendency greatly to improve the river?—Necessarily so; it must have been so; it gave them funds to do what they could not do before.

2669. *Chairman.*] I understand you to say, not only with respect to engineering works on the river, that the river has been improved, but also by means of those necessary regulations for managing the navigation of the river?—No doubt the re-arranging of the colliers from first to last, and the having a steamer at command, instead of two old men drifting about in a boat that could not possibly stem the tide, the conservators are now enabled to go about in the steamer from one place to another, with perfect ease, and command all necessary operations on the river.

2670. Has that any connexion whatever with the suit between the Crown and the Corporation?—I am not aware of any connexion. I do not know what the suit was; I only know that there have been differences from time immemorial.

2671. Mr. Alderman *Salomons.*] I think you stated that the settlement of that suit gave them funds?—The settlement of that difficulty, and the formation of the Board, gave the Board power;

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power; but I really do not know what the suit was about.

2672. It seems to have given them profit as well as power, there being an increase of 27,000 *l.*?—That is expenditure, not receipts.

2673. Where do they get their money from?—From the tonnage dues.

2674. Then under the Act of Parliament they are enabled to have more funds?—They are able to take funds that they had not before, for the upper part of the river. The Thames Navigation Committee had to incur a large debt, yet unpaid.

2675. Mr. *Lindsay.*] You have referred on one or two occasions to the Master of the Trinity House; I understand you to say that Lord Palmerston was the present Master?—He is.

2676. And you have re-elected him?—I hope we shall do so on Trinity Monday.

2677. Does he attend?—Instead of his attending, I attend on him.

2678. He never attends any of the meetings of the Board?—He does not. I do not know that he would not do so if the Court required. No court is valid except the Master or Depuiy Master is present. If I were to fall down in a fit, and they could not hold a court without the Master, I think Lord Palmerston is the man to come down and hold a court rather than it should not be held at all; but, in point of fact, whenever I want an interview with him it is granted me, and there is no occasion for his coming.

2679. With regard to the management of the lights and the various duties which you have to perform, do you seek his advice?—Not necessarily; because we understand the detail of it. But, as in the present case, when his Lordship asked me to give him information upon the electric light which is now startling the world, I had the honour of putting the case plainly before him, which he thoroughly entered into.

2680. Then his Lordship is of advantage to you upon these questions?—Of the same advantage that the upper stone is to a pyramid, to make the structure complete.

2681. Is that the only advantage?—As it happens, we have not been obliged to apply to him, except in that case of the electric light.

2682. Sir *John Hanmer.*] Is that the new light?—It is the new light.

2683. Mr. *Ewart.*] Have you made any reduction in the rates for ballast since the Act of 1842?—No; that Act provides a certain rate, and that rate has been continued.

2684. Then the rate is the same now, is it?—Yes.

2685. *Chairman.*] The Conservancy Board, I think, maintain three dredgers in the river?—I think they have three.

2686. And a considerable staff of officers to work that machinery?—Very large.

2687. That, of course, involves considerable expense?—Yes.

2688. Has the Trinity House also a similar establishment?—Yes.

2689. What number of dredgers have you?—Three.

2690. And a staff of officers, of course?—Yes.

2691. Do you know what the expense of your establishment is?—Yes, I can tell the Committee all the expenses; the staff of the ballast service consists of about 418 persons.

2692. What is the annual expense of the men's wages?—The cost of repairs for the dredgers is about 2,950 *l.* per year.

2693. That is an incidental expense, is it not?—We take an average; the lighters and barges, including the renewals, is about 7,100 per annum.

2694. Without going into details, are you not of opinion, that instead of having two large and expensive establishments for the purpose of executing the same work, it would be much more economical, as well as much more efficient, if the two were blended together, and under one head?—I certainly do not think so, because our dredgers are fully employed in getting ballast; the conservators' dredgers have, up to this time, been fully employed in removing shoals and mud, and the present embankment of the river will fully employ one dredger to do it; therefore, as the river is now constituted, I think there is full employment for all six dredgers; what it may be 20 years hence, I cannot tell, of course.

2695. You think that two bodies, acting independently of each other, are better calculated to do the work than one?—Decidedly so, because materials are different; one deals with mud, which shipowners will not take for their ships, and we deal with ballast, which they require to have in very clean and good order.

2696. You dredge simply for the ballast, do you not?—Simply for ballast.

2697. You stated that you did it also with a view to the improvement of the river, but the Acts of Parliament mention nothing about the improvements of the river?—You will find that the earlier Acts do.

2698. But I am speaking of the Act of Victoria?—I am not; but in the earlier Acts the duties are prescribed; this Act merely refers to former Acts; but first of all, the removal of the shoals was connected necessarily with taking the ballast; we were to take it where the shoals were most objectionable and most difficult, and so we have gone on.

2699. Do you think it would be better to maintain these two establishments?—That is my firm opinion, from the working of the two systems, and I have had knowledge of both.

2700. Mr. *Lindsay.*] Was the primary object of the powers given to you the improvement of the river?—Yes; they were connected together; the ships could not leave without ballast, and instead of letting parties take ballast here or there, the Crown wisely appointed a certain body to take the ballast; and as the City of London had no sailors immediately connected with it, it was put into the hands of sailors, who were the best judges of where these shoals should be taken from, and the depth of water that should be obtained, whether it should be 12, 14, or 16 feet.

2701. Do you allow parties to take ballast from the shore?—Yes, upon application, and given when necessary. (*See* Appendix.)

2702. Under what conditions?—The proprietors of quarry pits or works more than six miles east of London have permission to ship, provided the master of the vessel makes entry at the place from which the shipment of such ballast shall be made, paying the proprietor of the wharf 1 *d.* per ton, which the proprietor will pay to the ballast department of the Trinity House. The London Dock Company have supplied stone for ballast for many years free of all charge.

2703. Then you make no charge to the London Dock Company?—No; not for stone.

2704. Nor to the owner of the quarries?—No, the owners of the quarries pay 1 *d.* per ton when the

the pit or quarry is situated more than six miles east of London Bridge.

2705. Mr. *Cave.*] Is it a fact that ships can go light to Purfleet, and take in ballast without leave of the Trinity House or Conservancy Board?—Yes, they can go to one of the chalk wharves, and only pay that sum to the account of the Ballast Department; but the additional charge they pay depends entirely on the nature of the material received and the demand of the proprietor of the quarry or pit; such prices vary at different wharves.

2706. Do they come within this rule?—Yes.

2707. Mr. *Ewart.*] Have there been any complaints from shipowners of your charges for ballast?—I have not heard of any.

2708. Mr. *Cave.*] I wish to ask you a question upon these accounts; I find in the appendix (account A) a profit on the ballast for the year 1862, of about 8,000 *l.*, and this seems to have gone in liquidation of the adverse balance to the port of Dublin Corporation, and the Commissioners of the northern light dues?—I really must plead ignorance of the Mercantile Marine Fund; we raised the money, and pay it into the fund, and the Board of Trade report to the House, it is for Parliament or themselves to understand it, not for me.

2709. I find by this account that 8,000 *l.*, which you made by ballast last year, has been expended in liquidation of the adverse balance of the light dues in the accounts of the port of Dublin Corporation and the Commissioners of the northern lighthouses; would you not consider it fair, that profit made in the river should be expended in the river, rather than in that way?—Speaking individually, I should say it would be so.

2710. To whom is the Trinity House responsible?—To the Board of Trade and to Parliament.

2711. Mr. *Hodgson.*] Did you tell the Committee what the amount of wages was of the men employed in the ballastage?—I did not, but I can give it you for the year, or the average.

2712. In the same manner as you gave the expense of the lighters?—Precisely; the average from 1854 to 1862 has been dredgers, 2,718 *l.*; lighters and barges, 12,674 *l.*

2713. I thought you gave that at 7,000 *l.* before?—I am giving now the detail of it at Ratcliffe Cross, which is another of the stations; the lighters and barges is 787 *l.*

2714. What is the total of the wages account?—The whole total is 16,649 *l.* 0*s.* 5*d.* for 255 men.

2715. You gave us 400 and odd men just now?—I am coming to the others immediately.

2716. But I do not want you to go into these details?—I must separate them; the 255 men receive 16,649 *l.* 0*s.* 5*d.*, that is the ballast raising men; the regular ballast heaving men and those that are taken on from time to time, receive on an average 8,703 *l.* 0*s.* 11*d.* (*See* Appendix.)

2717. Can you give me, in one sum, the total expense per annum that the Trinity House incurs in the item of ballastage, take the getting first?—The getting is 16,649 *l.* 0*s.* 5*d.*

2718. And the heaving?—£. 8,703. 0*s.* 11*d.*

2719. That is the whole?—That is the whole

2720. You stated just now that the operations of the Conservancy Board were different from that of the Trinity House, inasmuch as the Trinity House got ballast, and the Conservancy Board got mud, which the shipowners do not want; is that strictly correct?—Yes.

2721. Does the Conservancy Board not supply any ballast at all?—I pointed out to you that the Trinity Corporation relieve their expenses; whenever they raise any soil that is fit for ballast we buy it of them at the rate of 2½ *d.* per ton, and I see we have paid them 238 *l.* 1 *s.* 8 *d.* in that way.

2722. Then it is not strictly correct to say that they do not raise ballast?—Well, it may not be strictly correct, because if the conservators come upon a part that will sell, instead of putting it into lighters where they have to pay to get rid of it, they give notice to us, and our barges go and take it for ballasting vessels.

2723. Therefore your evidence requires that qualification to make it correct?—I dare say you may put it in that way, because this is an accidental thing which may occur to-day and not to-morrow.

2724. Is it not the fact that the Conservancy Board do raise material fit for ballast?—They have raised it to that extent.

2725. *Chairman.*] I believe the Trinity House is charged with the superintendence of all the lighthouses in England and Wales?—All the lighthouses in England.

2726. There is a light at Northfleet, is there not, in the jurisdiction of the Conservancy Board?—Yes.

2727. By what authority was that light erected?—It is an anchoring light for Gravesend Reach; we considered it to be so unsafe, from ships anchoring where they pleased, that to make a clear channel for steamers to run by night, the Conservancy Board put up a beacon for the day mark and a gas-lamp at night, as an anchoring light.

2728. As that light was so serviceable to the navigation, why was it not undertaken by the Trinity House?—Because the question of the navigation of the river was not so immediately brought under the cognizance of the Trinity House, as it is now; the navigation of that immediate reach was not brought under the immediate control of the Trinity House; if the requirement had been patent, we might possibly have done such a thing prior to the Conservancy Board acting and taking such a responsibility upon themselves.

2729. Has the Trinity House any light within the jurisdiction of the Conservancy Board?—If you speak of the line of the conservancy from Yantlet upwards, the Trinity House have two lighthouses placed within that boundary.

2730. Which are they?—The Muckling and the Chapman, two lighthouses, and also several buoys which were placed years ago, long before the Conservancy Board came into existence.

2731. Have the Trinity House any beacons as well as lights?—They have beacons at various parts of the river banks; they were placed as early as the year 1821, which beacons are now there.

2732. Then the Conservancy Board not only shares with the Trinity House the removal of shoals in the river, but also the superintendence of lights, and the placing of buoys and beacons?—When the Conservancy Board on one occasion, because one of the Trinity marks was a distant one, placed a beacon near the shore, the question was raised as to the rights of the respective bodies, but when it was known and felt that the two bodies were working in union to make the navigation of the river perfect, instead of contesting

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the difference as to the powers (considering that the Trinity Corporation had beacons and lights already there) with reference to this Act of Parliament which gave the conservators power to put up additional lights, both bodies agreed to merge all their differences in the one object; in fact, not to have any difference at all, rather than waste money in splitting hairs upon the subject.

2733. In fact you had no dispute at all?—None.

3734. Would it not be better, because it would be much simpler to have all this business in the same hands rather than in the hands of two independent bodies?—Do you allude to buoys and beacons?

2735. Take that in the first instance?—If the present removal of shoals continues, there will be little necessity for buoys or beacons in the limits of the conservancy.

2736. You say when the shoals are removed?—Yes, and that is going on so rapidly that there will be little occasion for additional buoys and beacons in the conservancy ground.

2737. Then the question of buoys and beacons will not give rise to any disputes between these two bodies, because none will exist but with respect to the lights?—The cost of two lights are paid out of the Mercantile Marine Fund. When they were put there, the trade of London was excessively glad to have their river lighted, so that their ships could pass with safety; and I cannot conceive any difference of opinion likely to arise, because no more lights are necessary; and while the Mercantile Marine Fund pay for these lights and receive the benefit that arises from them, no difficulty can arise.

2738. Do the two bodies, the Trinity House and the Conservancy Board, work harmoniously?—Perfectly so; considering that the Trinity House takes up a certain proper position.

2739. The Trinity House is also charged with the duty of examining the harbour-masters, I believe?—We have that.

2739*. They are officers of the Conservancy Board, are they not?—Entirely.

2740. What is the nature of the examination which they pass through?—They are examined as to the shoals in the various reaches, as to the water at the dock-gates, the number and position of the buoys, the necessary number of ships that they place in the tiers, as to their knowledge of the rules and bye-laws of the river, as to the necessity of deciding whether rafts are of the proper construction, and all those various matters of detail connected with the harbour-masters' duties.

2741. They cannot be appointed unless their competency has been approved by the Trinity House?—Certainly not.

2742. In the exercise of your various duties as deputy master of the Trinity House and a member of the Conservancy Board, are you ever brought into conflict with the Watermen's Company, or does that Company act harmoniously with you?—The Watermen's Company have questioned the rights of the conservators to make arrangements as to having a certain number of men to navigate their barges, and questions of that sort, which the conservators have maintained to be necessary, and which the law has justified and carried out.

2743. Do you think, or do you not, that the powers which are exercised by the Watermen's Company with regard to the navigation of the river, could be equally well exercised by the Trinity House, or by the Conservancy Board?—I do not know sufficient of the Watermen's Company; I only know them when they have been in collision upon these points; I cannot tell what the advantages of the body are.

2744. You have, I believe, in your employment certain barges connected with the dredging operations?—Yes.

2745. Are those barges under the control of the Watermen's Company?—No, they are under the control of the Corporation of the Trinity House.

2746. That is a special exception to the rule that is applied to other parties, is it not?—The barges are under our control; I do not know what the others are.

2747. When you use the word Corporation, do you mean the Corporation of the Trinity House?—Certainly, I mean our own Corporation.

2748. Mr. Alderman *Salomons.*] Have the Trinity House any beacons above Northfleet?—Yes, several.

2749. Where?—By Barking Reach, and in the upper part of the river, in fact.

2750. Between Greenwich and Northfleet, had they some beacons?—The Trinity House have no beacons at Northfleet; the conservators have one.

2751. Have the Trinity House any beacons above Northfleet?—Yes.

2752. Do you know how many there are?—They have several in the river; one above Northfleet, in Saint Clement's Reach; one at Broadness, one at Stoneness; at these points they have one.

2753. Is that between Greenwich and Northfleet?—Yes.

2754. You say they have several?—Yes, they have been established a great many years.

2755. You spoke about the light at Northfleet being a gaslight, how is it a gaslight?—It is lighted by gas.

2756. But the gas is not there on purpose for the light, I suppose?—The gas is taken from the same supply that the town is lighted with.

2757. Do you not examine some of the watermen to act as pilots?—Yes, we have done so.

2758. Have any watermen presented themselves to the Trinity House to be examined as pilots?—Not watermen; they must be entered as pilots. A certain number of watermen were examined and passed as pilots, because it was considered that these men knew more about the river than those waterman who were known as mud pilots; instead of taking watermen's fare they took pilots' fare; and so the shipowners were rather annoyed that these men when they were pilots had to be paid as pilots.

2759. Is there any objection if a waterman presents himself to qualify as a pilot to act on the river?—No objection, provided there is a necessity for his service; but there is a certain number required, and a certain number not required.

2760. How do you determine that rule of necessity?—By the nature of wages of the men, the profit, the number of ships; in fact, all the detail of the service.

2761. What I want to ascertain is this: suppose Waterman A. presents himself, and you examine him, and authorise him to act as a pilot on the river, is that so with Waterman B., and every other letter of the alphabet?—If there is a vacancy the man is taken.

2762. Do

2762. Do you limit the number?—Yes, the number is limited by the requirements of the service.

2763. Can you see any sound objection why any man who has qualified should not be allowed to act as a pilot on the river?—I see a great many objections. First of all, these men have to subscribe to a fund; the subscription depends, of course, upon the number of men subscribing, and the amount that they subscribe; therefore you cannot throw it open. We have to provide for the men after they have ceased to work; therefore arrangements are made that a certain number of them shall be there, and a certain subscription be paid by them; in fact, the whole thing is a system.

2764. Admitting that, do you see any reason why you should not admit a man who is willing to subscribe to the fund?—If the man is not wanted we do not take him as a pilot.

2765. How do you mean if he is not wanted?—Because his services are not required.

2766. Do you limit the number?—Certainly.

2767. Why?—Because we say that each pilot has to make a return of his earnings we know exactly what he is earning; therefore, if we find that 10 men can do the work, and they are only earning a certain amount, and that those 10 hardly get employment, we do not increase them by employing 10 more.

2768. Mr. *Ewart.*] You consider you have quite enough?—Yes, we have quite enough, and it is our duty to regulate the number of men that the service requires. I can give a case in point, that of the Scilly pilots: they are called pilots, but some part of them are occasionally occupied in bringing potatoes to the port of London, and not in doing pilot work at all, but they subscribe a certain small sum to the pilot fund, and having subscribed a small amount, they then come on the general fund; therefore, in that case, we might have more pilots, or men called pilots, than we wanted, and we take the opportunity of reducing the number until we have the pilots that are required for the work.

2769. Mr. Alderman *Salomons.*] When you speak of the Pilot Fund, do you mean the Trinity Fund?—No, it is quite a distinct fund.

2770. Are you not aware that there is some dissatisfaction existing amongst the watermen, that well qualified as they believe themselves to be, and as they no doubt are, to pilot ships up the Trinity House, will not examine them, so as to qualify them to act?—Precisely so; because there may be a greater number already on the list doing the work than can receive fair remuneration, and they do not like to comply with the regulations which the Trinity House established as the managers of the pilot system.

2771. But admitting that they are willing to comply with those rules, do not you think it rather hard upon them that the Trinity House should not employ them?—No, certainly not, because a great many of these men who call themselves pilots and waterman pilots, may go on board a foreign ship, get her into the mud, and then get into a boat and leave her, without our having the opportunity of knowing who these men were; there would be no possibility of checking them if you were to throw it open, so that every man who chose could go on board a ship as a pilot; without we know the men and the service is under certain restrictions it would not operate at all successfully.

2772. That is not my question; what I have asked you is this: what objection could there be that a man, complying with your rules, and undergoing the examination, should not be licensed to act as a pilot in the river?—Because a sufficient number of pilots are already kept to do the work.

2773. Mr. *Ewart.*] Are they more under your control?—It is not only that, but they can get such a living and make such a return as would entitle them, at the period of life when they were incapacitated for work, to receive a certain proportion of the revenues, and go into the pilots' almshouses.

2774. Mr. Alderman *Salomons.*] Would not the fund be the greater, the larger the number?—No, because they pay poundage upon their earnings, and if they did not earn the money they could not pay the poundage.

2775. Mr. *Longfield.*] Would not the annuitants be more in number?—Yes.

2776. Does this regulation tend to keep up the respectability of character and conduct of the pilots?—Most certainly so.

2777. Mr. *Cave.*] Have the Trinity House the control of the lights on the coast of England?—Yes.

2778. Are they not managed in Ireland by the Dublin Corporation?—By the Ballast Board.

2779. And in Scotland by the Northern Commissioners?—Yes.

2780. What control have you then?—Whenever they wish for a light, or a change of light, they apply to the Trinity House, and get our opinion, in conjunction with the Board of Trade. There is a case in point just now. I am going with a committee early in June, on the coast of Ireland, to judge upon the spot whether a light is necessary or not upon a certain site.

2781. And after that the control is in those bodies?—Then it is in those bodies.

2782. *The Lord Mayor of London.*] What part do the Dublin Ballast Board take in the ballasting?—The Ballast Board of Dublin is a body of gentlemen who manage these matters generally, and the duties are divided amongst them.

2783. Does the Ballast Board grow out of the Corporation?—No, it is a distinct corporation.

2784. *Chairman.*] Questions which arise out of the erection of lighthouses in Scotland and Ireland are frequently referred to the Trinity House in London?—True.

2785. But they are otherwise independent bodies, I believe?—Quite so.

2786. Mr. *Lindsay.*] At the same time, I understand you to say, that they cannot erect the lighthouse without the sanction of the Trinity Board of London?—They cannot fix upon a site, or make any change, except with their concurrence.

Mr. Edward Macdonald, called in; and Examined.

Mr. *E. Macdonald.*

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2787. *Chairman.*] You are, I believe, a pilot, navigating between London and Gravesend?—Yes.

2788. Are you licensed by the Trinity Board?—Yes.

2789. I believe your services have been largely employed by the General Steam Navigation Company?—Yes.

2790. How long have you been a pilot on the river?—I have acted as a pilot for about 37 years, but I did not receive a license from the Trinity House till the year 1855, under the new Act.

2791. For nearly 40 years have you been practically acquainted with the river?—Yes.

2792. You are consequently competent to speak of the present state of the river, as compared with its state 40 years ago?—Yes, I believe I am.

2793. Do you consider that the navigable channel of the river has been very much improved?—Yes, it has; there is no doubt of it.

2794. Has it undergone considerable improvement since the year 1857?—Yes, it has.

2795. In what respect?—In respect of removing shoals in different places, making more water in different channels, and in placing ships in different positions, in placing buoys for them, so that instead of lying in different reaches with their anchors down where there was much danger of the vessels striking upon their anchors, that danger is removed now, because there are buoys for them to moor to.

2796. I understand that there were several large shoals, which narrowed the waterway of the river, and otherwise obstructed the navigation of the river, which have been removed?—They have.

2797. Can you mention the principal shoals of that description which have been removed?—There was what we termed the limekiln shoal at the top of Limehouse Hole, and also in the Channel in Limehouse Reach, at Greenwich in the middle ground, at Blackwall Reach, and East Greenwich, or what is termed Bugsby's Hole in Woolwich Reach, and in fact the whole of the way down the river, in the shoal water reaches, there have been changes.

2798. Upon those shoals where there was very shallow water, is there now a sufficient depth of water for vessels to float?—Yes.

2799. Is that operation now going on?—It is still going on.

2800. You speak of the improvement which has been made with respect to mooring vessels in the river; will you describe what those changes have been?—Formerly there were what are termed collier sections at East Greenwich, Bugsby's Hole, at Galleons, and other places where ships used to lie, and the water was very shoal there; they were moored with their anchors, consequently a person, myself for instance, if I was going up or down with a vessel, could not tell where their anchors were placed. There was a danger of striking on these vessel's anchors, and, perhaps, the vessel I had charge of, fouling them. The Board of Conservancy have now placed buoys, and the vessels now lie moored to these buoys without having their anchors down at all, consequently that removes all the danger.

2801. Was the anchor frequently cast in the water way?—Yes, and you could not tell where it was. Some vessels, perhaps, would have 20 fathom of chain, some 30, some 40, and some more, so that you could never judge where their anchors were placed, and it was attended with great danger.

2802. Did many accidents arise from that circumstance?—There were not many, but it was very surprising; it was more by luck than anything else that it was not so.

2803. Was the vessel itself occasionally in the water-way as well as its anchor?—Very frequently.

2804. What is the width of water-way, which is now preserved between the tiers, from the banks of the river?—It entirely depends upon the locality.

2805. Is there any place in which the width is less than 300 feet between the tiers and the bank?—Not at high water, I think.

2805. Is the tonnage increasing in the port of London?—Very much.

2807. Does that increasing tonnage require increasing facilities for the navigation?—It does so, of course, and the ships have increased in size as well as in number. The ships are very much larger than they used to be.

2808. Have the steam vessels increased?—Greatly.

2809. Does steam navigation require more particular navigation than sailing vessels?—It does; it requires more nicety, because they are frequently compelled to be under weigh, when, perhaps, a sailing vessel would not, I mean passenger vessels, and so on. You are not expected to stop a steam boat, if you have got any chance of going on at all.

2810. I suppose you consider it is of very great importance that the management of the River Thames should be confided to the most able and competent hands in which it could be placed?—Yes, decidedly. The Committee must understand that these improvements commenced before the establishment of the Conservancy Board. The Trinity House, in the first instance, arranged the collier sections; previous to that the colliers and other vessels used to come up the river, and go into the pool, without any restriction, when they liked.

2811. How long ago was that?—I should think about 20 years ago. I am a very bad one to recollect dates; but I think that is about the time. I have had, when on board a steamboat, to make her fast, and stop for two hours in the mouth of the pool, with passengers on board, before I could proceed.

2812. *Lord Mayor of London.*] Are you correct in that observation, as to the Trinity House making the sections; was it not the Navigation Committee that made the sections?—I think it was both of them; but I really will not be positive.

2813. It was the Navigation Committee?—It might be.

2814. *Chairman.*] What do you mean by the sections?—What I mean is this—they placed certain marks in different reaches; in Halfway Reach, for instance, or in Long Reach, and colliers were compelled, instead of coming right up from the sea to London, to bring up at those sections, and stop until they were called, or received orders from the harbour-master to proceed to the Pool, or

or into any dock on the river they might be going to; consequently that removed the difficulty of so many ships being under weigh at one time.

2815. Did that place these numerous vessels under some system of regulation?—Yes; under the control of the harbour-masters at the time.

2816. When were these sections established?—I think about 20 years ago.

2817. Do you see a marked change since the present Conservancy Board has been established?—There have been continual improvements, there is no doubt about that.

2818. Improvements both in respect of the removal of shoals, the improvement of the waterway, and the superior regulations in regard to the mooring and anchorage of vessels?—Yes, that is so.

2819. Do you find that that opinion is generally entertained by those who are concerned in the navigation of the river?—Very generally; there are a few exceptions of course; you cannot expect to please everybody, but I never heard any of the regulations complained of.

2820. Do you sometimes hear complaints?—No, I do not know that I ever do. If there have been any, they have been very trifling, and perhaps they have come from somebody scarcely worth listening to.

2821. Sir John *Hanmer.*] Under what authority were you a pilot, before you were licensed?—I was a waterman employed by the General Steam Navigation Company to take charge of their vessels.

2822. Did that authorize you to act as a pilot?—No, I acted as a waterman; though I do not suppose I ever earned a pound in my life, except in taking charge of vessels.

2823. Did you act as a pilot before you were licensed by the Trinity Board?—I did.

2824. But that was simply of your own accord?—Yes.

2825. Mr. Alderman *Salomons.*] But that was only on board the Steam Navigation Company's ships, I suppose?—Only on board their ships and other steam vessels previous to my going into the service of the Steam Navigation Company altogether, sailing vessels as well, vessels of all descriptions.

2826. *Chairman.*] Is there any regulation upon the Thames with regard to the speed of steam-vessels?—Yes.

2827. What is the nature of that regulation?—That vessels shall only go at the rate of five miles an hour between Greenwich and London.

2828. From whom does that regulation proceed, as far as you know?—I believe it proceeded, in the first instance, from the Navigation Committee or the Trinity House; I am not sure which.

2829. However, practically, that is the regulation on the river, is it?—Yes.

2830. Supposing anybody does not observe it, what is the consequence?—Very few do observe it.

2831. Then it is a regulation which is not observed?—It is not observed.

2832. Mr. Alderman *Salomons.*] Could they observe it?—They could not, very well.

2833. Mr. *Longfield.*] I suppose when the river is clear they do not observe it; when the river is crowded, they do?—When we cannot get along, of course we stop.

2834. Mr. Alderman *Salomons.*] Is it found practically impossible to observe that regulation with the tide running four miles an hour?—You would have very great difficulty in doing it.

2835. If that regulation was observed, would not there be a greater chance of getting into difficulty than of getting out of it?—Very likely.

2836. If a vessel was limited to five miles an hour in going from Greenwich to London, should you say there would be a greater chance of keeping out of difficulty or of getting into mischief?—I should say the chance would be as great of getting into mischief as getting out of it.

2837. Is it, in point of fact, an impossible regulation?—It is not impossible, of course; but I think it is a thing that is not at all required.

2838. Do you know the river well?—Yes.

2839. Do you know the speed at which steam-vessels navigate the river?—Yes.

2840. Are there any accidents?—Very rarely.

2841. Do you think if they were, in point of fact, restricted to five miles an hour, there would be fewer or more accidents?—I do not think there would be more.

2842. Mr. *Ewart.*] Would there be any difficulty, on the part of a competent person, to ascertain whether a steamer is going at full speed or half speed on watching?—I think I could do it myself.

2843. So that, according to your opinion, a competent person could very easily ascertain by looking at a steamer whether she was going beyond her prescribed speed?—Yes; there is no doubt about it.

2844. Mr. Alderman *Salomons.*] Could you tell, by looking on, whether a vessel was going at full speed or half speed?—If I knew the vessel I could, and the rate at which she could go; I could then judge by her appearance whether she was going at full speed or not.

2845. If a steamboat is rated at 16 miles an hour, you could tell whether she was going at the rate of eight miles an hour or 16: is that what you mean?—Yes.

2846. You could easily tell at what rate a steam vessel was going?—I would not undertake to speak with respect to a strange vessel, of course.

2847. Would you be able to tell, by looking on, whether a vessel was going at the rate of 10, 12, or 15 miles an hour?—I think I could.

2848. But, according to your opinion, there would be no public advantage to limiting steamers to five miles an hour?—I think there ought to be a limit. Of course, a man ought not to be allowed to go recklessly.

2849. That was not my question: I asked you whether, in your opinion, there would be any public advantage in limiting steamers to five miles an hour?—No, I think not.

2850. About what is the average rate of the speed of steam vessels?—I think a steamboat can go very well, and with safety, at eight miles an hour; not to exceed eight.

2851. At what rate do the Watermen steamers go?—I should think at about nine miles an hour, or perhaps 10.

2852. And that you think a safe speed, do you?—Yes.

2853. Sir *John Hanmer.*] That is above bridge, is it not?—No, below bridge.

2854. Have the Watermen's Company any steamers below bridge?—Yes, from Greenwich to Hungerford.

2855. Mr. Alderman *Salomons.*] You have spoken of the general improvement of the river, and I think you said that the arrangement of the colliers existed before the Conservancy Board was appointed?—It did.

Mr. *E. Macdonald.*

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2856. You have spoken of a great improvement of placing the tiers for ships: has not the removal of the shoals given greater liberty and power to enable the Conservators to put the tiers for ships?—Certainly it has.

2857. Then would you say that the improvement of tiering the ships has had something to do with the removal of the shoals?—Of course it has.

2858. And you were a waterman, you say?—Yes.

2859. I suppose you are a Greenwich man?—Yes.

2860. There are a great number of the Greenwich watermen, I suppose, who know the river well?—Yes.

2861. Do not you know that many of them want to be licensed as pilots, and the Trinity House will not license them?—There have been several applications made; but according to the Trinity House law, I suppose, they are not eligible.

2862. Do you think there would be any injury to the watermen, as a body, if more of them were licensed to act as pilots?—I do not think it would be a very great deal of benefit to them.

2863. Do you think it would be of any advantage to the public?—No, I cannot see it.

2864. Mr. *Cubitt.*] Would it be injurious to the existing body of pilots if a great number were licensed?—I think if you were to have a great number of men licensed in that way, it would spoil their respectability as a body; if a man cannot keep himself respectable, he is not looked upon; if he holds a license, the pilot is liable to pay for damage while the vessel is in his charge; if he did not earn a sufficient sum, he could not take that responsibility upon him.

2865. It is quite clear therefore, in your opinion, that if you were to license an unlimited number, you would swamp the respectability of the existing body of pilots?—Yes, I think so.

2866. Mr. *Longfield.*] Have you had much experience in piloting screw steamers?—Not a great deal; they have generally been paddle-wheel steamers.

2867. Have you ever observed that the screw steamers did not answer the helm so regularly as the paddlewheel steamers?—Not particularly the helm; she will not turn astern as well, possibly. Close to the ground no steamboat can steer well.

2868. *Chairman.*] Do you mean in shallow water?—Yes.

2869. Mr. *Longfield.*] Have you ever observed that there was more difficulty in a screw steamer answering her helm than a paddle steamer?—If a screw steamer falls into difficulty you cannot recover yourself so well as you can in a paddle-wheel.

2870. One of the witnesses has stated that the majority of accidents in the river have been attributable to screw steamers; what do you say to that?—That is the whole and sole cause of it. It is not the steering; it is the not being able to get the vessel astern. Only last Sunday morning there was a vessel lying at Purfleet, which is a place where we very frequently catch a fog, which perhaps does not extend above a quarter of a mile, and this vessel was riding there. A screw steamer came up; she was caught suddenly in the fog: she stopped, and presently they made out this vessel ahead, and called out to turn astern, but they could not do it; they struck the vessel and sunk her. Now, if it had been a paddle-wheel vessel, she would not have touched her at all. That is the principal difference between a paddle and a screw.

2871. But do you think that the screw obeys the helm as readily?—Yes, I think so, in deep water.

2872. But when they get into trouble, they cannot get out of it again as well as a paddle-wheel vessel can?—No.

2873. Mr. Alderman *Salomons.*] Does every ship of the Steam Navigation Company carry a pilot, like yourself?—Most of their larger vessels.

2874. Besides the captain, they have a Thames waterman, have they?—Yes; I go entirely with the Steam Navigation Company's ships, and have done so for some years.

2875. You do not go in all their ships?—No; there are several of us.

2876. Belonging to the Company?—Yes.

2877. Besides the captain, they have a man like yourself going with each ship, have they?—Yes, excepting the smaller vessels.

2878. *Lord Mayor of London.*] Does the 23d bye-law, which requires two men to be in one barge seem to you desirable?—Yes.

2879. That bye-law was made by the conservators, was it not?—I think it was; I will not be sure.

2880. Is there much inconvenience arising from the mode in which lighters are worked in the pool?—I think that, as a body, the lightermen are generally improving; we do not have the difficulty with them that we used to have.

2881. *Chairman,*] Is the number increasing?—The number has greatly increased; the men are like all other bodies of men, they have improved with the times; they are very different men to what they used to be 30 or 40 years ago.

2882. Mr. Alderman *Salomons.*] Where did you carry on your trade as a waterman before you joined the Steam Navigation Company?—I served my time in it; in fact, my master was employed by the Company; the Company was not incorporated until 1824, that was two years after I was apprenticed; but as soon as the Company was formed I worked for them, and I served my time in the Company.

2883. Did not you work as a waterman on the river?—Very little.

2884. Mr. *Cave.*] Are there not bargemen on the river who are not at all amenable to the Watermen's Company, namely, the Trinity House bargemen?—Yes.

2885. *Chairman.*] Are there any others?—I believe not.

2886. Mr. *Cave.*] Do you find the bargemen who navigate the Trinity House barges equally efficient with those licensed by the Watermen's Company?—I must make the same remark as to them that I did about the bargemen licensed by the Watermen's Company: they are a very different set of men to what they were 30 years ago. We do not have the trouble with them that we used to have. At that time they were put into lighters, no one knew how; they knew nothing about the river, and consequently their ignorance made them obstinate, and they were more trouble than any of the other vessels that came up and down the river. They are very different now.

2887. Then you see no difference between the two, those licensed by the Watermen's Company and those by the Trinity House?—They have of course a system of handling their own barges; they could not compete with what we call quay lightermen, who are accustomed to navigate heavy

heavy craft at all times of tide and to all parts of the river; they have a certain thing to do, that is to go from a certain place to the engine, where they get their ballast.

2888. That is a mere matter of practice?—Yes.

2889. Do you know of any rule on the river about vessels going with the tide?—There were old rules, but it was impossible for them to be obeyed. According to the old law, no vessel in the pool was allowed to be athwart at all, and she was to have a certain portion of canvas that would be impossible now, because there are tides when a strong wind is blowing, and if you do not put the ship athwart the tide, she would blow down to where she came from, so that you are compelled to put her athwart in order to get the full benefit of the tide.

2890. Is there not an impression that a vessel going against the tide, and coming into collision with a vessel coming with the tide, is to pay the damage?—No; the vessel going against the tide ought to give way to the other one; I do not know that there is any law to say that she shall pay the damage; it all depends upon the circumstances under which it occurs.

2891. With regard to the steamers; I suppose the best rule for a steamer is, that she is to be guided by circumstances as to speed, and whether the river is clear or not?—Yes.

2892. Do you think that the regulation that at present exists is not obeyed, and is not advisable?—I do not; in fact I know it is not obeyed; that I am certain of.

2893. Supposing a steamer going faster than the regulation speed runs down a vessel, would she be liable?—Of course she has to be answerable for her neglect of the rule.

2894. Then you think that the damages would be a better rule than that of any particular speed?—Yes, I should think so; for instance, the Woolwich boats, which leave every hour, have to be at London Bridge in the hour, and have to call at a number of piers, so that of course they do not abide by the rule.

2895. Still, as a matter of fact, you say there are very few accidents?—Very few.

2896. Mr. *Lindsay.*] Do many of these accidents occur through the speed at which steamers are propelled?—No, I think generally not; I have scarcely known of anything to occur from that cause alone.

2897. To what cause do you attribute the accidents?—Sometimes there are mistakes on one side or the other, and sometimes on both; the navigation of the river is very complicated, you have so many obstacles; you have not only to study what you will do yourself, but what three or four others are going to do; you are not in a river by yourself; perhaps there are 20 or 30 sail of vessels in different positions.

2898. When you say, complicated, I suppose you mean the number of vessels going to and fro?—Yes; persons say you should abide by this law, or by that, but in a river like this you must be entirely guided by circumstances.

2899. I suppose if a vessel deviates from the rules and regulations which are laid down, the owner becomes responsible?—Of course he is liable to the penalty.

2900. I suppose you are of opinion that it is necessary to have rules and regulations for vessels plying on the river?—Certainly.

2901. Have you any instructions from the General Steam Navigation Company with regard to the speed at which you are to proceed?—Not particularly as to speed; of course we are cautioned to go carefully, and if we meet with damage we have to give an account of it. In many cases where they have thought the pilot has been to blame, they have made him pay for it.

2902. Mr. *Ewart.*] If you are detected going beyond the regulation speed, is there a heavy penalty, or any penalty?—No, there is no penalty.

2903. Mr. *Longfield.*] Suppose an accident happens?—Then the speed will be brought against you.

2904. Mr. Alderman *Salomons.*] Has not the removal of the colliers in the pool greatly assisted the navigation in the river?—Certainly.

2905. Would it not be thoroughly absurd where there is clear water way, to limit the speed of a steamboat?—I think it would; 20 or 30 years ago, I have myself been two hours going from London to Deptford, and under way the whole of the time.

2906. But now there is a clear water way?—Yes, and I should think myself very hardly done by if I was an hour going to Greenwich.

2907. Therefore any rule that was made many years ago for the speed of the vessels on the Thames, I suppose would not, in your opinion, apply to the speed now—No.

2908. Nor to the mode of navigating boats?—No.

2909. The engines are different now, are they not?—Very different.

2910. Mr. *Cave.*] Is it not more difficult to navigate screw colliers going out light, in consequence of their different draught aft and forward?—Yes, going head to the wind, there is such a difference in their draught of water aft and forward. It may, perhaps, be only three or four feet forward, and 11 or 12 aft, so that the bow is right out of the water.

2911. That must be very dangerous, of course?—Very dangerous indeed.

2912. You have not much experience as to colliers yourself, I think you say?—No, I have not had much to do with colliers.

2913. Their crews are very often overworked, are they not?—Yes.

2914. *Chairman.*] Is it the case with the screw colliers that the crew is often overworked?—Yes; they will often go into the Victoria or other dock, and alongside this derrick, that is now lying in the river, with 700 or 800 tons or more, and in about 12 hours they are out and away again.

2915. The cargo is very quickly discharged; is that what you mean?—Yes.

2916. Is it discharged by the crew?—I do not know that they have much to do with it, but there can be no time for rest, most of them have four hatchways, and all working at one time, and it is no use for the men trying to go to sleep.

2917. Mr. *Lindsay.*] Are not the masters and seamen on board paid by the run?—No; I think generally by the month.

2918. Mr. *Cave.*] I suppose the crew are often asleep while they are going down the river, are they not?—Very often, no doubt.

2919. *Chairman.*] Are you well acquainted with all the shoals down the river?—Yes.

2920. Are there any shoals which it is desirable to remove?—I do not know that there is anything particular now; there are one or two small places; there is one at the lower part of Busby's Hole, but there is a channel on each side of it.

2921. Would it be an advantage if the river was deepened at that place?—Yes; it might be a little

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a little advantage; the Trinity lighters, and the Conservancy lighters have both been at work there, and just above there, and they have made a considerable deal of water on both sides of it.

2922. Do you know any other place where it would be desirable to deepen the channel?—No; I do not in particular.

2923. Upon the whole, are you very well satisfied with the state of the river?—I do not think it would be desirable to remove every obstacle, because one thing has come under my observation since these shoals have been removed; in the water the ordinary ebb tides run out more than they used to do; there is not the obstacle to keep the water up the river, it goes down the quicker.

2924. And there is not the same depth of water at low tides, I suppose?—The water runs out more rapidly.

2925. Then at low water the tide is not so deep?—No.

2926. Mr. *Ewart.*] Do the shoals change much?—Very little in this river.

2927. When a shoal has been removed by dredging, is it apt to re-form at all?—When a shoal is removed generally, the run of the tide and the vessels making use of the channel will keep it clear.

2928. Mr. *Longfield.*] Has the pier accommodation of the river been lately increased by the Conservancy Board?—Yes, it has of late years very much improved.

2929. *Chairman.*] Do you know the piers?—Yes.

2930. Do you find them very much better than they were 10 years ago?—Yes. There is one pier that I find fault with, and that is the pier at Millwall. It is very much in the way of the navigation, and always has been; that is the only thing.

2931. Is that an old pier?—No, a new one, put up lately.

2932. Put up by the Conservancy Board?—Yes. I think that is the only pier that any reasonable complaint can be made of.

2933. Do you think that is justly complained of?—Yes.

2934. Because it interferes with the navigation of the river?—It has interfered with it so much that the Board of Conservancy have reduced it themselves. It was knocked away, and they have not run it out to its first limits.

2935. They have shortened it, have they?—Yes.

2936. Do you know how far it extends into the river now?—I do not know exactly, but I think it is somewhere about 50 or 60 feet shorter than it was, or rather more.

2937. But even now you think it extends too much into the river, do you?—My opinion is that it is in the wrong place; if it was a little higher up, it would be better.

2938. But you know of no objection to any other pier?—No; I do not find fault with any other as any obstacle to the navigation.

2939. Can you point out the spot on that map where this pier is erected on the river.—(*The Witness did so.*)—In what respect does that interfere with the navigation of the river?—It is a flat part of the river; the shore runs out flat there; it is always very much in the way, more particularly of sailing-vessels that had the wind what they termed short when they are close hauled.

2940. Does the erection of this pier increase the shoal you speak of?—No, it does not; but it extends so far out into the river that it causes obstruction, or has done; I do not know that there is so much fault to be found now.

2941. Mr. *Cubitt.*] Since it has been shortened, you are not sure that much fault is to be found with it, you say?—No, there cannot be the fault found with it now.

2942. Mr. *Longfield.*] Is it a great accommodation to the public?—That I do not know; I do not think it is used by many.

2943. Mr. *Lindsay.*] You say it was once knocked away, how did that happen?—A vessel got foul of it.

2944. A steam vessel?—No, I think a barge; but several vessels have been there and received or caused damage previous to its being shortened.

2945. *Chairman.*] I suppose it was shortened in consequence of this accident?—No doubt.

Mr. Charles Capper, called in; and Examined.

Mr. *C. Capper.*

2946. *Chairman.*] You are, I believe, manager of the Victoria Docks?—I am.

2947. I presume you are well acquainted with the River Thames?—I am.

2948. Are you chairman of an association formed for the purpose of altering the constitution of the Thames Conservancy Board?—That was one of our objects.

2949. Was there any other object contemplated in the formation of that association?—I should explain that the origin of that association arose from the Bill that was promoted by the Conservators in Parliament.

2950. Was there any other object contemplated by that association?—That was the principal object.

2951. What is the name of the association?—Committee on the Thames Conservancy.

2952. Will you explain the circumstances under which this association arose?—A Bill was presented by the Thames Conservancy, in which Bill powers were sought, amongst other matters, to erect cranes, and to make charges for the use thereof; it was felt that any such powers granted to the Conservators might interfere very seriously with the interests both of the wharfingers and probably of the Dock Companies, and therefore the first object of the association was to get rid of that Bill.

2953. Why did they find that so objectionable?—I will give the Committee a case in point; the Conservancy have already done this, they have given permission for the derrick that we have heard so much about before this Committee, to be moored in the river; we held they had given that power illegally, that they had no such power, and furthermore that they were making charges for the mooring of that vessel there, which they had no power to do.

2954. Making charges upon whom?—Upon the proprietor of the derrick.

2955. Is he a member of the association?—No, he is not at present.

2956. Then why do you interfere between him and the Conservancy Board?—I was proceeding to explain that, because it affects me particularly; in the first place, the whole of his business had previously been done in the Victoria Docks.

2957. What business does he carry on?—The coal business.

2958. Is

2958. Is he a large coal merchant?—Yes.

2959. And his coals had previous to that been discharged in the Victoria docks, had they?—Yes, and the effect upon me was this, that in the month of March and April of last year he discharged 92,960 tons of coals which paid me 1,175*l.*; in this year he only discharged in the same two months 62,546, at a payment of 842*l.* 5*s.* 6*d.*; consequently there was a decrease in the tonnage of 30,415 tons, and a decrease in the payment to me of 339*l.* 10*s.* 9*d.*; those circumstances led the wharfingers and myself to consider how far any further powers granted to the Conservancy Board might interfere with us if they exercised the right of erecting cranes and making charges for the use of them. That was what gave rise to this association; it makes a difference of 2,000*l.* a year to me.

2960. I can understand that it is unpalatable to you, but there was no injury to the public arising from the mooring of that derrick, was there?—The position of affairs is this, that any person on the Thames navigating either a boat or anything else striking against that vessel, it is in his power to indict it as a nuisance; there is no power in any of the Acts of Parliament relating to the port of London to authorise the permanent mooring of a vessel in the port of London.

2961. You consider that the mooring of the derrick in the Thames is not sanctioned by the Act of Parliament, and that the Conservancy Board would be liable to an action at law if an accident occurred in the river in consequence of it?—Clearly, I think that subject also has another bearing, and it is this; that if the dock companies had been represented on the Conservancy Board we should have known something of what was going forward before the act was consummated, but we did not know anything of it until it was a *fait accompli*.

2962. Mr. *Lindsay.*] You complain because it is taking away your trade, is that so?—Yes, and I do not know where it is going to stop.

2963. Have you known of any accidents occurring from that vessel being moored there?—I do not know that I have.

2964. Whereabouts is that vessel moored?—I have a tracing here which will show the Committee (*the Witness here handed it in*).

2965. *Chairman.*] Are there steam cranes fixed upon the deck of the derrick?—There are hydraulic cranes.

2966. Is there a great deal of business done at that derrick?—Yes, a large amount of business.

2967. The coals are discharged from the ship and put on board lighters, are they not?—On board barges.

2968. How are those barges conveyed from the derrick?—By tug-boats, in the same way that they are from the Victoria Docks.

2969. Does the steamboat take three or four in tow at a time?—Half-a-dozen, I believe.

2970. And carries them away up the river?—Yes.

2971. Is it not of some advantage to the river having these steamboats to tow the barges?—Yes; I have no doubt that the assistance of steamboats to barges going up the river is a very great improvement to the navigation.

2972. Is not that some justification of the Conservancy Board in that particular case?—Still the same thing applied to the Victoria Docks, and to the docks at Limehouse and Poplar in the same manner.

2973. When vessels discharge their coals at the Victoria Docks into lighters or barges, are those lighters or barges towed by steamboats up the river?—Yes.

2974. Is that so uniformly?—Uniformly.

2975. At the same time they have the power to go in the ordinary way, have they not?—Certainly.

2976. Is that power largely used?—I think not.

2977. Not now?—Not now.

2978. Is there an increasing disposition to tow the barges by means of steamboats?—Decidedly.

2979. And that you consider a great advantage?—Yes.

2980. Mr. *Longfield.*] Do not the public use the derrick extensively?—No, it is not used by the public; it belongs to a merchant; it is not used by the public in the ordinary sense of the word public; he contracts with parties to discharge vessels there, or he discharges his own as the case may be; I should say the majority were his own.

2981. In point of fact, it facilitates the unloading of vessels very much, does it not?—Over the Pool it does, but not over the Victoria Docks, or the docks at Limehouse, or Poplar.

2982. Is it not used by some parties very extensively?—It is used by the owner.

2983. For his own and other goods?—I have no doubt of it.

2984. And they would prefer it to going into the Victoria Docks?—That I cannot say; it is a question of cost.

2985. Do you know the charges?—I do not know what charge he makes for the derrick.

2986. *Chairman.*] Are you acquainted with the dredging operations that have been performed by the Conservancy Board in the Thames?—Yes.

2987. Is it always judiciously executed, in your opinion?—We had a case of our own; we had occasionally dredged the shoal off the entrance of the dock to the extent of the deviation which is given us under the Act. The conservators had been dredging above us, which disturbed the debris, and ultimately it deposited itself into the spot where we dredged out under our Act of Parliament. The conservators some time afterwards brought their dredger here (*referring to the tracing*); I heard that they were going to move the dredger without removing this part, coloured brown; I wrote to the conservators on the subject, and asked them to move that shoal and I would remove anything that accumulated within my present limits, which is a hundred yards from the dock gates. This is a section of what they would have removed, and what I would have removed; the red is mine, and the brown is theirs.

2988. Did they decline to remove it?—They declined unless I would pay the working expenses of their dredger, they simply lending the use of their dredger; I said I would bear the expense of the red portion myself, and a portion of the brown, inasmuch as I would find barges and pay for the discharging of them.

2989. Mr. *Lindsay.*] Did the shoal interfere with the navigation of the river, or only with the going into your dock?—The very fact of their consenting to allow me to have their dredgers free shows that they thought that it did, to some extent, interfere with the navigation of the river.

2990. *Chairman.*] Upon what grounds in their correspondence did they decline to incur the whole

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whole expense?—They gave me no reason; they simply announced a decision. If the Committee will allow me, I will put in this copy of the correspondence. "5th September 1860. To the Honourable the Conservators of the River Thames. Gentlemen,—I am informed that it is your intention shortly to remove the dredger at present employed off the entrance of the Victoria Docks, &c., I beg to enclose a plan of the entrance, showing the depth of water we had at tide-time yesterday, and respectfully to request that you be pleased to arrange to allow it to be brought within the buoys to clear away the mud, to give a uniform depth of 28 feet at Trinity high water; the difference between the figures on the plan, and 28 feet Trinity high water being the depth required. I have the honour to be, gentlemen, your most obedient servant, (signed) *C. Capper.*" ——" 17th September 1860. To the Honourable the Conservators of the River Thames. Gentlemen,—Referring to my letter of the 5th instant, and the inquiry made by you, I beg to inform you that, by making my application for your dredger to come inside the buoy, I felt that it was a measure so conducive to the best interests of the port as to carry its own recommendation with it; so far as the portion of the work coloured red in the annexed sketch is concerned, the Victoria Dock Company are prepared to bear the expense. I have the honour to be, gentlemen, your most obedient servant, (signed) *C. Capper,* Manager."——" Thames Conservancy Office, 41, Trinity-square, Tower-hill, E.C., November 15th, 1860. Sir,—In reply to your letter of the 5th September last, I am directed by the Conservators of the River Thames to state that they are willing to place one of their dredgers at the disposal of the Victoria Dock Company, for the purpose of clearing the entrance of their dock, on condition that the Dock Company pay for the necessary fuel, labour, and lighterage. I am, sir, your most obedient servant, (signed) *E. Burstall,* Secretary. *C. Capper,* Esq. Victoria London Dock Company, 9, Mincing-lane."——"16th November, 1860. Captain E. Burstall, R.N., Secretary, Thames Conservancy, 41, Trinity-square. Sir,—I beg to acknowledge with thanks the receipt of your letter of yesterday's date, in reply to mine of 5th of September. The Dock Company are now engaged in dredging at their own expense, within the line of their entrance, and (if I have not made myself clear in my further letter of the 15th instant), it is that portion of the river within the buoy, and between it and the line of our entrance, which I submitted to the conservators as desirable to be dredged at their expense, upon the grounds that it would be a great public advantage, in so far as it must be in the highest degree conducive to the best interests of the port and river. It seems to me a matter of very great importance, while you have been dredging outside the buoy, and we are dredging our entrance, that the intermediate portion of the river should also be dredged; and it is upon these grounds that I am induced respectfully to urge the matter upon the conservators; I shall be happy to call upon you at any time. I am, sirs, your obedient servant, (signed) *C. Capper,* Manager."——"9, Mincing Lane, 6th December 1861. Captain Burstall, R.N., Secretary, Thames Conservancy. Sir, Referring to my letter of the 5th September last, I beg respectfully to state, for the information of the Board, that the limits of the Dock Company's authority extends only 100 yards into the river from the outer dock gates, and not to the Parliamentary line of deviation. The removal of the bank within the buoy, both in the interests of the public and the Dock Company, is of so much importance that I should be prepared to undertake it, finding the barges, and the discharging of them, if the Board will supply the use of their dredgers free of cost to us. I am, sirs, your obedient servant, (signed) *C. Capper.*"——" Thames Conservancy Office, 41, Trinity-square, Tower-hill, E.C., 20th December 1860. Sir,—In reply to your letter of the 6th instant, in which you propose to find barges for the material that may be raised from the bed of the river in front of the Victoria Dock entrance, and discharging the same, if the conservators will supply the use of the dredgers free of cost to you, I am directed to state that the conservators adhere to their resolution, as conveyed to you in my letter of the 15th; viz., "That the use of their dredging vessel may be placed at your disposal, provided you reimburse them the expense of labour, fuel, and lighterage. I am, Sir, your most obedient servant, *E. Burstall,* Secretary. Charles Capper, Esq. Victoria Dock Company, Mincing-lane.'

2991. Mr. *Lindsay.*] Does the shoal still exist there?—It is still there.

2992. Have you known any vessels to get upon that shoal?—No, I have not known any accident to arise from it; still it would be better if it was away; we should be in less fear that an accident would arise.

2993. What depth of water is there over it at low water at spring tide?—Varying from one foot to eight feet.

2994. It is under eight feet of water, is it?—Yes.

2995. Is the shoal in the centre of the river, or close inshore?—There were two moorings put down there for the use of ships that are unable to make the docks, and it is upon the inside of those moorings.

2996. Mr. *Longfield.*] Is it a modern or an old formation?—It is a modern formation.

2997. *Chairman.*] Entirely?—Entirely.

2998. Mr. Alderman *Salomons.*] From your dock?—No, not from our dock; we cleared it when we first went there.

2999. *Chairman.*] I understand you to say it has accumulated there in consequence of some dredging on the opposite side of the river?—Yes, at Blackwall Point.

3000. What is the depth of water there at low water?—We made it on the average that is shown on this Plan, 10 feet 6; it now varies from one to eight feet.

3001. Mr. *Lindsay.*] How do you make out that the removal of a shoal from one part of the river would create one in another?—I used the word "shoal," but it is more particularly mud or ballast, anything of that description.

3002. That is carried away, is it?—It is from the higher part of the river.

3003. Then it could not form a shoal in this particular part of the river of which you complain?—It is not properly speaking a shoal, it is a bank.

3004. But it was a shoal that you desired to have removed from that part of the river opposite the dock?—No, I call it a shoal, but it is a bank.

3005. Mr. *Longfield.*] Do your docks project at all into the entrance of the river?—No, on the contrary.

3006. *Chairman.*] Is it an admitted fact that this

this bank or shoal was formed from the operations of the Conservancy Board on the opposite side of the river?—That was the only conclusion we could come to, because we had cleared the stuff away before.

3007. You know of no other reason?—No, except the ordinary deposit of the river.

3008. Mr. *Longfield.*] Did it not exist before the conservators' operations?—Which operations?

3009. You say it has re-formed in consequence of the conservators' operations?—Precisely.

3010. Had it not been formed before you cleared it away; is not that self-evident?—When we cleared it away originally, I believe it was a shoal as distinguished from a bank.

3011. What year was that in?—That was about the middle of 1855.

3012. Then it had re-formed either as a shoal or a bank before 1855?—Yes.

3013. Through some cause or other?—Through some cause.

3014. And now after the operations of the conservators it has formed again?—Yes.

3015. Would not that lead a person to suppose that it was independent of the operations of the conservators that it had formed or re-formed?—It is just possible that it might be so, but I think that is the probable cause.

3016. *Chairman.*] Is that the cause to which you attribute it?—It is.

3017. Does it still exist there?—It does.

3018. Is it a sad obstruction to vessels visiting the docks?—We have sand obstructions which we have removed every week, as all dock companies have, more or less.

3019. You are the owners of a steel-yard wharf, I think?—We are.

3020. Is there a pier erected in front of that wharf by the conservators?—Yes; the Allhallows Pier extends in front of that wharf, and we have had notice from the Charing Cross Railway Company to go to a jury upon the question.

3021. Do you complain of its injuring your property?—That is a question which I hope the Committee will not ask me personally, but a part of the case which is prepared against us for compensation for that property is, that its very valuable river frontage has been injured; their principal point is, that our property has been damaged by the erection of that pier, the argument against us is, that our property is damaged.

3022. That wharf has been let to some other parties, has it not?—No, we have it all to ourselves.

3023. Who are the parties that complain that the value of the property is diminished?—We have had notice from the Charing Cross Railway that the steelyard will be required for the purposes of their railway.

3024. Then it is the Charing Cross Railway who say that the value of the property has decreased by the erection of the pier?—Yes.

3025. Have they given you a formal notice?—They have given no formal notice, but we have had a preliminary meeting, as they want possession of the property, which we have agreed to give them under certain conditions, and it was instanced at the time that their principal case against us was, that the property was depreciated in value, in consequence of this pier.

3026. Have you any litigation with the Company, or is it merely a question of the sale of the property?—It is a question of the sale of the property, that is all.

3027. And they naturally wish to get the property upon as low terms as they can?—No doubt.

3028. And they point out any circumstance that may tend to diminish its value?—Yes.

3029. Mr. *Longfield.*] Is there a bend of the river before Victoria Docks?—Yes, at Blackwall Point.

3030. Which project into the river?—Yes.

3031. Is that point opposite your dock?—No, opposite the East India Dock.

3032. On the opposite side of the river from your dock?—Yes; it is there where a great deal of the conservancy dredging was done.

3033. Does not that point throw the tidal reflux across to you?—No, I do not think it comes quite so far, unless under special circumstances.

3034. Mr. *Ewart.*] Would it not have a tendency to do so?—There are two forces in operation; the first is at Blackwall Point, which throw the tide across, and clears the entrance of the East India Dock; then it is cast on, again, at the opposite side, and beyond that, again, comes across the river; experiments have been made upon it for some time; what the precise effect that has on the state of the tide there I am not in a position to say just now.

3035. Mr. *Cave.*] Does any current that comes out of the dock carry away any deposit?—The ordinary lock water.

3036. Only that?—Only that.

3037. Is it not a fact, that mud and silt coming out of the dock will form a deposit unless there is more than that to carry it away?—As a rule I think it is so.

3038. Would not that assist to form the bank you have mentioned?—Yes.

3039. So that it is rather hypothetical, is it not, this charge against the Conservancy Board of forming this bank?—It is a matter of opinion.

3040. Upon what principle do you object to the derrick being moored in the river and formed into a coal depôt?—For this simple reason, that parties who have what I should call vested interests in the waterside may be competed with by the conservators adopting something of the kind themselves. In fact, there have been such propositions before the conservators; there have been propositions for erecting coal staiths in the centre of the river for the purpose of discharging coal vessels; and no doubt the object of the conservators was to obtain power to enable them to do it; if they had done so, it would have effected the private interests on the river, and, in fact, destroyed them.

3041. I suppose you think it is not fair when Parliament has induced persons to lay out a large amount of capital in docks for a Government body, as it were, to come into competition with them without laying out any capital?—Clearly not.

3042. But that does not exactly touch the question of the derrick, which belongs to a private person?—The question of the derrick is simply this: the quantity of coal that comes to London by water is about 3,500,000 tons per annum at present. I should think that the proprietor of this derrick calculates that he can discharge pretty nearly 1,000,000 tons per annum, at all events considerably over 500,000.

3043. What, from this derrick?—Yes; there is another 1,000,000, I am speaking in round numbers, discharged in the docks and wharves that have accommodation; therefore the competition it would open in the Pool is reduced to something like 1,500,000 tons, so that there is not room for much trade by any other derrick.

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3044. That would, of course, be a question for the parties themselves?—Yes.

3045. Upon what principle do you object to a licence being given to use a derrick in that way?—I simply object to it because I do not think that in the Queen's highway, such as the Thames, such powers ought to be given.

3046. Then you object to it, not upon the ground of competition, but on the ground of its being an obstruction on the river?—On both grounds; on the ground of vested interests on both sides of the river, and also on the ground of competition.

3047. With regard to the coal trade, I think you have a railway from the Victoria Dock, have you not?—Yes.

3048. And that railway carries coal to London, I suppose?—Yes.

3049. Does that railway take it to more than one depôt?—The principal coal that goes by railway from us is to the interior.

3050. Not to London at all, do you mean?—Not so much to London.

3051. *Chairman.*] It goes into Essex, I believe, does it not?—Into Essex, and some goes as far as Cambridge.

3052. Mr. *Cave.*] I believe there is no very great trade in coal from the Victoria Docks?—Not by railway.

3053. Is there nothing to make it grow?—No, it is a question of cost.

3054. Is it cheaper to take coal by railway or barge?—It is dearer to send it by railway.

3055. Mr. *Lindsay.*] Do you make any charge upon barges entering your docks?—No; we are not allowed to do so.

3056. To whom does this derrick belong?—To Mr. Cory.

3057. Does he pay for a license to the conservators?—He pays 650 *l.* a year to the conservators, or is to do so.

3058. For what?—That is what I do not understand; I say they have no power to levy such an imposition.

3059. *Chairman.*] In point of fact it is for a license to anchor the derrick in that part of the river?—I expect it is so, but the conservators have no power to charge for mooring chains at all.

3060. Did not the idea of placing mooring chains in the river to unload coals, originate with the coal owners some time ago?—I think it did.

3061. About what is the length of this derrick?—I think it is about 250 feet.

3062. How many cranes are there erected upon it?—Six, I believe.

3063. How many colliers can discharge at the same time?—They can discharge four at the same time.

3064. On both sides?—Yes.

3065. Mr. Alderman *Salomons.*] Is this a derrick which they built, or one which they bought?—It was a speculation that was entered into by some gentlemen for raising sunken ships; it was found to be a failure, and then the whole thing was sold, and Messrs. Cory bought it.

3066. And he then got permission from the Conservancy Board to anchor in the river?—Yes.

3067. Then your objection is that the conservators have no power from Parliament to do what they have done?—I say, clearly not.

3068. Then you thought they were acting beyond their powers?—Clearly.

3069. Perhaps you think that if they had applied to Parliament for such powers, they would not have been given to them; is that so?—I am not clear upon that point.

3070. *Chairman.*] What is the chief grievance you complain of?—The chief grievance is that this thing takes place in the Thames, and that the parties who really have very large interests in the Thames (there are the dock companies who have a capital of upwards of 11,000,000 *l.* on the banks); they know nothing whatever of what the conservators are doing until the whole thing is done, and then they have no remedy for it.

3071. If you considered that this was an illegal proceeding upon the part of the Conservancy Board, why did you not do something?—I did not know of it till after it was done.

3072. But why not commence an action at law against the Conservators?—I did not consider it would be worth my while.

3073. Is that the only reason?—Yes.

3074. You did not wish to be involved in litigation?—No.

3075. Mr. *Lindsay.*] How much have you lost by it, do you say?—The two months average shows 2,000 *l.*; I have no doubt it will amount to 3,000 *l.*

3076. If they had no power by law to license that derrick, was it not worth the dock companies' while, seeing that they were losing 2,000*l.* a year by it, to prevent them from making that loss by means of it?—We knew nothing of these circumstances until after the matter was done, and then the only remedy for us is an expensive action at law, of which we do not know the end; and I am one of those persons who do not choose to go to law if I can possibly help it.

3077. But you are very clear in your statement, that in your opinion the Conservators of the river had no right to grant such a license as that?—Clearly not; I think the common law is sufficient to prevent them.

3078. Did you take the opinion of counsel upon it?—No; I am well acquainted with all the Acts relating to the Port of London, and I value my own opinion sometimes as much as that of other people.

3079. *Chairman.*] Their only authority for it must be this Act of Parliament?—Or the ancient Acts.

3080. Sir *John Hanmer.*] How would you apply the Thames to such a case as that?—It is the Queen's highway.

3081. Has any accident happened in consequence of this derrick being moored there?—Not that I am aware of.

3082. Mr. Alderman *Salomons.*] You have published a statistical work upon the trade of London, have you not?—I have.

3083. You said you objected to the Act of Parliament because there was a power for the conservators to erect cranes upon their piers?—Yes.

3084. If they did so, and landed goods, would not that be competing with the wharfingers and dock owners?—Unquestionably.

3085. Would you think that an undesirable thing on the part of a public Board?—No doubt.

3086. *Chairman.*] Did you consider that these cranes were for the purpose of landing merchandize?—They went for general powers; we did not know to what they would have applied those powers after they were once obtained. I have no doubt that the object was, as I said before, to have coal cranes.

3087. I am speaking of the cranes which it was contemplated to erect upon the piers?—Precisely so.

3088. Did

3088. Did you imagine that they were to be erected far the purpose of carrying on the coal trade?—That was my impression.

3089. Would the piers allow of that?—No; but they proposed to put up a pier or jetty in the centre of the river.

3090. In addition to the existing piers?—Yes, where some of the colliers are now moored.

3091. Mr. *Longfield.*] What is the communication between the derrick and the land?—There is no communication except by boat.

3092. Mr. *Ewart.*] Is it moored fore and aft?—Yes.

3093. Have there been many complaints made of this derrick as to its situation?—Not that I know of; I have made no complaint.

3094. *Chairman.*] Are the barges loaded by means of hydraulic cranes?—They are.

3095. Then there is a vast amount of apparatus on this derrick?—Yes, a large amount.

3096. Mr. *Lindsay.*] You say you are not allowed to make any charge on barges entering your dock?—Yes.

3097. Are you not allowed to make a small charge to cover the expense of opening and shutting the gates?—No. In each of the Dock Company's Acts special clauses have been inserted, and always have been insisted upon by the Watermen's Company making the docks a part of the River Thames.

3098. Therefore, you have no power to make any charge whatever on barges taking cargo into your dock, or away from the dock?—No, none, nor any other Dock Company in the port of London.

3099. Mr. Alderman *Salomons.*] Do you know anybody else who has applied to have a derrick put in the river under similar circumstances?—No, I should think not. I should think there will be no more applications of the same kind, because the same circumstances will not arise.

3100. You mean that it would not have answered the purpose to have built one?—Clearly not,

3101. *Chairman.*] This was an American construction, was it not?—Yes.

3102. I suppose they got it very cheaply?—I suppose they must have got a property which cost, I am afraid to say how much. I think the whole expenditure was 80,000 *l.* or 90,000 *l.*; the hull must have cost something like half that money; they got it for considerably less than 10 per cent., I believe.

3103. Is it now in operation?—Yes.

3104. Is it understood to answer?—I believe it does.

3105. Sir *John Hanmer.*] What interest has the Watermen's Company in making the claim that the docks should be part of the Thames?—It is done in the interests of the wharfingers in this manner: any charge that is put upon the barges coming into the dock would be a charge upon the wharfinger, as a rule, to whose wharf the goods were going that were taken out of the dock. If I was asked the question, perhaps I should say that our Dock Company do not think it quite fair, because they get the shell, which is the ship, and the wharfinger gets the kernel, which is the cargo that the ship brings.

3106. Mr. *Longfield.*] Is the derrick permanently moored there now?—Yes.

3107. Suppose that during the day it was moored there in order to accommodate vessels, and at night was removed, would you see any objection in point of law to it then?—It would not be a vessel under the ordinary definition in the Act of Parliament.

3108. But would it not be a means of facilitating the vessels in loading and unloading their cargoes by means of barges, and things of that kind?—I say it does assist in that, but it is not within the scope of the Act of Parliament. A vessel must be something that navigates.

3109. Is it an erection?—It is a sort of hybrid. I hardly know how to define it.

3110. Would you call it a convenience?—Perhaps a convenience.

3111. You think it is not within the words of the Act of Parliament, and therefore illegal?—Clearly so.

3112. Mr. Alderman *Salomons.*] Has it always been there since it was first launched?—Nearly so, I think.

3113. There was a Derrick Company, I think? Yes.

3114. That company did not answer, and this was bought cheap, was it not?—Yes.

3115. Did you compete for it?—No. In fact I did not know it was in the market. It was not made sufficiently public to come to our knowledge.

3116. Mr. *Cave.*] When these regulations were made, that barges should pay nothing, coming in or going out of dock, was not that when the docks enjoyed a monopoly of landing certain goods, which they have not now?—Precisely; the whole of the original docks, with the exception of St. Katherine's, had the monopoly of certain privileges for a period of time from their opening.

3117. Then this license for barges to go in and out without payment was a sort of compensation or make-weight for that monopoly, was it?—I do not know that that was the way in which it was put, but that was the origin of it, and it has been perpetuated up to the present time.

3118. At any rate the docks have lost the monopoly, and retained the necessity or obligation of allowing these barges to go in or out without payment; is that the case?—It is.

3119. Mr. *Longfield.*] I take it for granted that what the docks have lost, the public have gained?—That depends upon what you define the public to be. If you will put a specific case, I will answer it.

3120. Mr. *Lindsay.*] Is it not the case, that what the docks have lost, the wharfingers have gained?—It is so.

3121. Mr. *Longfield.*] And the public indirectly?—That does not follow.

Lunæ, 18° *die Maii*, 1863.

MEMBERS PRESENT:

Mr. Blackburn.
Mr. Cave.
Mr. Joseph Ewart.
Sir John Hanmer.
Mr. Richard Hodgson.
Mr. Hutt.
Mr. Longfield.
Mr. Locke.
Mr. Ald. Salomons.
Mr. Shafto.
Mr. Somes.

THE RIGHT HONOURABLE WILLIAM HUTT, IN THE CHAIR.

Mr. CHARLES CAPPER, called in; and further Examined.

Mr. *C. Capper.* 18 May 1863.

3122. *Chairman.*] I BELIEVE you have published a work of considerable reputation on commercial matters connected with the trade and port of London, and you are probably aware that many of our great commercial rivers have recently been the subjects of legislative regulation?—Yes.

3123. You are of course acquainted with the constitution of the Conservancy Board of London?—I am.

3124. Do you know anything of the bodies appointed by the Legislature to manage the affairs of the Mersey, the Clyde, the Tyne, and the Weir?—Yes.

3125. Is the principle of election recognised in the constitution of those bodies?—Entirely.

3126. Do you think that a Board of Commissioners, for the port of London, formed on the principle of election, would give the same assurance of assiduous and judicious administration as a body of nominees?—Much more so.

3127. Would it, in your opinion, possess in an equal degree as the Conservancy Board, the confidence of those who are connected with the navigation of the harbours and river?—In a much greater degree, I think.

3128. Do you think that the trade and commerce should be represented at the Board?—Certainly so.

3129. Then you are not satisfied with the administration of the present Board?—No.

3130. In what respect are you dissatisfied with it?—In the way in which I pointed out on Friday, with respect to the several cases that have come within my own experience, first, with regard to the dredging of the river, secondly, with regard to the mooring of the hulks in the Thames and the Steelyard; those are all points that come within my own personal knowledge.

3131. Do you think that if the parties who are interested in the operations of the river had been represented at this Board, that these complaints would not have arisen?—I am quite sure they would not.

3132. Do you see any objection in itself to a self-electing and irresponsible Board?—I see great objections to self-electing Boards. If we take the present Board of Conservators, I have no doubt that their intentions are of the best description; but from the previous avocations of many of the gentlemen who compose it, it is impossible that they can know the wants of the trade and commerce of the port of London.

3133. Do you apply that remark to the present Board of Conservancy, or generally to a Board constituted as that Board is?—I apply the remark generally; at the same time it applies, in many instances, to the present Board.

3134. You think, from the nature of their avocations, they do not possess that specific knowledge which would give them a competency for the proper management of the navigation of so important a river as the Thames; is that so?—Precisely so; there are other points in connexion with that; there are different interests to be looked at; there are not only the particular interests of the river, but all the interests connected with the trade of the port of London, which ought all to be fairly dealt with. Now we have not a single shipowner, as far as I can discover, on the Conservancy Board in London. The shipping interests own more than one-fourth of the whole tonnage of England. Then let us take the barge-owners; it is true that Mr. Turnley is on the Board; he is a retired barge-owner; but he is there, because, from circumstances, he happens to be a member of the Court of Common Council; he does not represent the barge-owners directly; the same remark applies to Mr. Alderman Humphrey; he is on the Board, from being a member of the Corporation of London, which is a pure accident, and he does not represent the wharfingers directly.

3135. Who are the persons who now contribute direct taxes to the Conservancy fund?—At present the direct taxes are contributed, first and principally, by the port and harbour dues; then there are the wharfingers, they do not contribute anything directly, as it were; but, at the same time, if there is anything requiring to be done in connexion with the wharves, or anything of that description, they are fined, or have to pay a certain amount of rent per annum to the Conservancy Board. I can see no objection myself why

why all the interests in connexion with the port should not be more or less taxed, in order that they may be fairly represented.

3136. Would you propose, in your plan for an elected body, that those only should form the constituency who paid direct taxes?—In the case of London it is somewhat peculiar, the shipping is the principal thing that is directly taxed; but there are very extensive interests on the banks of the Thames, in addition to the shipping; in fact, the shipping could not be accommodated without those interests; the business and trade of the port of London could not be carried on without wharfingers and dock companies, and bodies, not directly taxed, who yet contribute so much to the importance of the trade and commerce of London, that, if it were not for them, it would not exist. Take the dock companies first, they have nearly 12,000,000*l.* of capital on the banks of the Thames; I believe the exact sum is 11,900,000*l.*

3137. Have you any estimate of the value of the property which is comprehended in the wharves?—No; that would be a very difficult thing to arrive at.

3138. It must comprise a very large amount of property, I presume?—A very large amount; there are wharfingers who are equally interested with the dock companies; there are no less than 111 wharves licensed by the Board of Customs.

3139. Sufferance-wharves, do you mean?—Legal and sufferance-wharves; they are practically the same; then there are the barge-owners.

3140. The persons who pay direct taxes, below bridge, are the shipowners, are they not?—Yes.

3141. Do the barge-owners below bridge pay direct taxes?—Not to the Conservancy Fund.

3142. The barge-owners above bridge pay direct taxes, do they not?—They pay a sort of toll, I think, above Kew.

3143. Is there not something rather anomalous in that species of regulation which makes a difference in the tax on vessels, on the same river, above and below bridge?—As I before remarked, the Thames is peculiar. If the Conservancy Fund were divided into two parts, that is to say, if it were divided into a fund for above bridge, and a fund for below bridge, from what I can make out of the accounts of the Conservancy, although they are not very clear, the fund above bridge may be insolvent, whilst the fund below bridge would have money in hand, and, in fact, as far as I can make out from the accounts, the shipping of the port of London, and the people below bridge, contribute to what is necessary above bridge.

3144. Do you find the accounts in the reports of the Conservancy Board, as presented to Parliament, not clear and satisfactory?—The reports themselves are very meagre indeed.

3145. And what do you say as to the accounts?—The accounts are confused. I am sure no gentleman could sit down and pick out from those accounts the expenditure above bridge, and the expenditure below bridge; they are all mixed up together. I was endeavouring, for instance, to find out, having heard some remarks in this Committee with regard to two steamboats which the Conservancy Board had, something about what the cost of them was, but I was unable to discover it from these accounts.

3146. Have you any other observations to make on the accounts?—No; except that it appears to me that the above-bridge taxes ought to be made to cover the expenses above bridge, and that the shipping and trade of the port ought not to be taxed for purposes above bridge.

3147. Do you think that those who are indirectly interested in the trade and navigation of the river ought not to be excluded from exercising some influence over its management?—Precisely.

3148. How would you arrange an electoral body that should have a voice in that matter, as paying indirect taxes?—That is practically provided for in the way which I have already partially shadowed out. For instance, there are the dock companies to commence with; it is quite clear that their twelve millions of capital ought to have some representative on the Thames; then there are the licensed wharfingers, who are a recognized body and are definable, they ought to have some mode of representation; then there are 900 barge-owners, at present defined by the Waterman's Company.

3149. Nine hundred below bridge, do you mean?—Nine hundred altogether registered by the Waterman's Company.

3150. The barge-owners above bridge pay tolls, do they not?—Yes.

3151. But the barge-owners below bridge do not?—No.

3152. Do you think that regulation ought not to be uniform in its operation?—It would be difficult to make the regulation uniform in that point, I think, unless the principle is admitted, that below bridge should pay for the expenditure above bridge.

3153. How would you compose your electoral body?—I would take the whole of the existing bodies, and I should say that each of those bodies could be represented on the Conservancy Board. First, the ship-owners; second, the dock companies, then the wharfingers and barge-owners, and, in fact, the principal parties that are interested in the frontage of the Thames.

3154. Supposing that I had a share in the Victoria Dock, should I have a vote in the election of a member of the Conservancy Board?—No; it would be the dock company in its corporate capacity.

3155. Then if I have a small wharf, would you place me in the same position as a man holding a large and valuable one?—You would be in the position of being a wharfinger licensed by the Customs, and would have the same status as another wharfinger.

3156. Notwithstanding the larger interest of my neighbour?—Yes; I do not think that for election purposes we should go into a detail of that description.

3157. Do you understand the system of election which is adopted on the Mersey?—Yes.

3158. What is that?—Every person who pays 10*l.* per annum to the Commissioners there is entitled to a vote.

3159. To what fund is that 10*l.* paid?—I forget the precise name of it; I will call it the Conservancy Fund of the Mersey. The Act provides machinery for the purpose of creating that electoral body.

3160. Do you consider a machinery of that kind, supposing the dock owners and wharf owners made a small contribution of that character to the Conservancy Fund, and in that way paid direct taxes, could you not compose a constituency by such a process?—No doubt.

3161. Something similar to what exists on the Mersey?—Precisely.

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3162. Is that a system which you are prepared to recommend?—Yes.

3163. Would the Board that you are disposed to recommend consist entirely of an elected body, or would there be any nominees?—I think to a certain extent Government ought to be represented on the Board, as representing the general public.

3164. That is the case on the Mersey, is it not?—It is.

3165. I suppose if the persons directly interested on the river were taxed in this way, a very small rate would produce ample means for the purpose of managing the navigation of the river?—A very small rate indeed.

3166. What amount of poor rate is paid by the dock company of which you are the manager?—We pay 4,000*l.* a-year.

3167. Do you know the course which is pursued by the Conservancy Board in respect of licensing improvements in waterside property?—Yes; and from what I can see in the returns that have been made to Parliament, and from looking into their accounts it seems to me that they have pursued a wrong course.

3168. In what respect?—Their charges are too excessive under such circumstances. It is true that they have to make a contribution of one-third to the Crown, but I take it that the shores of the coast, in fact, the shores throughout the kingdom, can only belong to the Crown in trust for the public.

3169. Do you know that by the conditions imposed upon the Conservancy Board by the Act of Parliament, they have not the absolute disposal of the property?—No; I am aware of that condition, and that is one of the conditions of the Act which I think ought to be improved. There is now very great dissatisfaction arising on the banks of the river in consequence of certain rights being claimed by the Crown which are in dispute.

3170. In dispute by whom?—A case will be brought before this Committee by the parties immediately interested, where they hold leases under the Duchy of Cornwall, yet the Crown insist on certain fines, upon certain things being done upon that very ground that it is leased by the Duchy of Cornwall.

3171. Sir *John Hanmer.*] Has the Duchy of Cornwall property upon the Thames?—Yes.

3172. Whereabouts?—At Lambeth, below Westminster-bridge.

3173. *Chairman.*] Does anybody dispute those rights which were conceded by the City of London to the Crown?—Yes, there is no doubt that they are very much disputed; but the great difficulty is to find anyone sufficiently strong to contest them. I think the Duchy of Cornwall will, in this case, be induced to contest them.

3174. Then there are parties found who will contest those rights?—Yes; there are certain parties who have leased property on the fore shore, the very ground upon which the Crown claims rights. They have it leased from the Duchy of Cornwall, so that the Duchy of Cornwall must either possess what the Crown claims from them, or the Duchy of Cornwall must put the Crown right, and prove that they have no right there.

3175. Sir *John Hanmer.*] I thought the cases between the Duchy of Cornwall and the Crown were settled, not only as regards the Duchy of Cornwall, within the county of Cornwall, but generally throughout the Duchy estates?—I do not know. I know that there are certain demands made now which will be contested on that ground.

3176. The Duchy of Cornwall has *jura regalia*, and whatever rights the Crown had, where the Duchy of Cornwall exists, the Duchy has those rights now?—At all events that is the position now in this particular case, and it will be brought before this Committee.

3177. Mr. *Longfield.*] This Act saves the rights of the Duchy of Cornwall, does it not?—Yes; but it saved the rights of the City of London, and it was no good to them.

3178. *Chairman.*] Do I understand that the parties contest the title of the Crown to this fore shore, or that, admitting that the Crown has a right to the property of the fore shore, they contend that the proceeds of that property should be expended on the navigation of the river?—No; the position is this, so far as I am able to ascertain it, that they have leased a certain wharf from the Duchy of Cornwall direct.

3179. I am speaking of the Crown?—In consequence of certain erections that have been made the Crown have claimed fines.

3180. But do the parties contest the title of the Crown to the fore shore, or, admitting that right, do they contend that the proceeds should be expended upon the navigation of the river?—I think he simply appeals to his landlord, who is the Duchy of Cornwall, and then the Duchy of Cornwall, I understand, contend that the Crown have no rights there.

3181. Sir *John Hanmer.*] The Crown gave by ancient grant to the Duke of Cornwall, in the reign of King Edward 3d, the *jura regalia*, so that whatever the right of the Crown might have been, how can it have any now?—They are setting it up now, at all events.

3182. *Chairman.*] I understand that you recommend that all parties who are directly interested in the navigation of the river should be taxed for its maintenance.—Precisely.

3183. Do you think that such a system as that would be generally acceptable upon the river?—I conceive that any tax made for any such purpose, inasmuch as the amount already raised is sufficient for the Conservancy below bridge would be a nominal one, and it would merely serve as a basis for an electoral body; that is my impression.

3184. That the tax itself would not be very heavy, and therefore not very objectionable?—It would not be objectionable for its amount.

3185. And do you think the principle would be acceptable?—The principle of a nominal tax would not be objected to at all, I think.

3186. Is it your opinion that the funds at the disposal of the Conservancy Board would be judicially administered?—As I said before, I have no doubt that the Board have acted to the best of their knowledge and ability, at the same time I have not been able to gather from any observations that have been made before this Committee that the Conservancy Board have any distinct plan, any distinct plan before them to work to with regard to the way in which the Thames is to be improved.

3187. Have they not set to work, in the first instance, in removing shoals, and deepening the river where the water was shallow?—I think that what they should have done in the first instance was to sit down and consider what objects they ought properly to work for.

3188. Have you any reason to believe that they have not sat down and considered?—We had a case

case brought before the Committee in the Millwall pier, where they had to cut it down 50 feet, and I understand there is a case with regard to some mooring chains at Gravesend, which I am told came to a very large amount of money, and which was found to be useless for the purpose it was ordered for, and will have to be applied to other purposes.

3189. These are mere matters of detail, are they not?—They are. I have no doubt but what they have done generally has improved the state of the river; at the same time I think they would have proceeded more consistently if they had had some well suggested plan to be worked to.

3190. Are you of opinion that they have not had any such plan in view?—It has not been produced before this Committee, and therefore I arrive at that conclusion.

3191. Sir *John Hanmer.*] There is Walker's line, is there not?—Which they have not kept. I can understand Walker's line.

3192. *Chairman.*] Do they not seem to have acted in modification of Walker's line?—They have in fact gone inside or outside of it, whichever suited their purpose, so that, practically, it has not been kept.

3193. They have much improved the piers, have they not?—There is no doubt that the piers themselves are improvements upon the old piers; whether they have done justice to the parties who had the old piers or not, it is not for me to state. I believe not, as far as common report goes.

3194. You have yourself no knowledge of any act of injustice in connexion with those piers, have you?—I am acquainted with the case of the action brought against the Conservators by Mr. Thornton, the Fishmongers' Company, the City of London Brewery Company, and others.

3195. Inasmuch as the Conservancy Board have the judgment of Vice-Chancellor Wood in their favour, there seems to be no ground of complaint on the score of injustice, is there?—I think Vice-Chancellor Wood made a special observation as to that; although his legal decision was against them, yet I think he admitted that it was unjust.

3196. Have you the judgment there?—I do not think I have.

3197. Here it is. (*Handing it to the witness.*) Will you turn to the passage which you have referred to?—The Vice-Chancellor sums up thus, "But further than that, it is a case in which undoubtedly the Court would be unwilling to dismiss the information with costs, inasmuch as I have no doubt in my mind that the property has been seriously injured; I think the property is injured by means of the Act of Parliament authorising the injury; I have no doubt whatever that the property is seriously injured; it is not a case therefore which the Court, where the parties so injured wished to have the rights ascertained, would dismiss with costs."

3198. The injury, then, which was done to the owners of the property was done by the Act of Parliament?—Obviously, from the Vice-Chancellor's words.

3199. Not by the Conservancy Board?—I believe the precise point was, that the Board of Conservancy had no funds out of which to pay compensation, and there was nothing to make them if they had not got the funds.

3200. Mr. *Locke.*] Were they bound to pay compensation?—Under the Act, I think so, according to my reading of it.

3201–2. Mr. *Longfield.*] In that judgment, I think there is no attempt on the part of the Vice-Chancellor to show that the Conservancy Board had been guilty of any impropriety?—It is a judgment that must be taken as a whole; he speaks very strongly of the injury done, and I thought it right the Committee should know that.

3203. *Chairman.*] It appears that the management of the river is vested in various hands. Do you think that a desirable state of things to maintain?—I should wish to see the management of the river in the hands of one Board, provided the different interests were properly represented. I think it would tend very much to simplify matters on the Thames.

3204. You do not think it desirable that the Trinity House should have charge of the ballastage as well as the Conservancy Board?—I see nothing that is gained by the Trinity House having charge of the ballasting at all, except that they make a profit out of it, and apply it to other purposes than the purposes of the port.

3205. In what respect do they do that?—They give to the Mercantile Marine Fund any profit that they make out of it.

3206. They pay the surplus of it to that fund, do they?—Yes; and I think I understood from Captain Pigott, the other day, that it amounted to some 4,000 *l.* a-year.

3207. I believe the Mercantile Marine Fund is applied to general purposes of the navigation of the empire?—Just so.

3208. You are, of course, of opinion that the management of this river is an object of great national concern?—Certainly.

3209. The tonnage of the river is very considerable, is it not?—Yes, over 9,000,000 tons per annum.

3210. What do you mean by 9,000,000 tons?—The tonnage, as entered and cleared in the port of London, is over 9,000,000 tons per annum.

3211. Do you mean that the entries inwards and outwards amount to 9,000,000 tons?—Yes.

3212. You have added the two together, then?—I have the return here. (*Handing it in.*)

3213. That was in 1860; have you nothing more recent?—No, I have not.

3214. Is this a Parliamentary return?—I have no doubt I got the information from a Parliamentary return.

3215. Mr. *Ewart.*] Do you include coasters?—Everything, our foreign trade, colonial trade, and coasting trade.

3216. Sir *John Hanmer.*] What practical faults do you find with the administration of the present Conservancy Board?—The observation that I would make upon that is, first, that we know nothing whatever about what the Board is going to do, until it is done; and we know not in what way they are going to affect our interests, or whether it may not be in opposition to the best interests of the port. They only look upon these matters from their own point of view, whereas there are other points of view to be looked at as well.

3217. You think that all these great interests to which you have referred, ought to have due notice of what is going to be done with their highway?—Yes.

3218. But I have not heard of any fault that the Conservators have committed, except this mooring of the derrick?—I do not desire to find any fault with the Conservancy Board at all, on the contrary.

3219. You wish to speak liberally of them?—Yes.

3220. But I think you said you objected to the

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mooring of the derrick?—Yes; I object to that as an interference with my living, which I am obliged to notice.

3221. Then you think, I suppose, that a new Board, elected in the way you propose, ought not to have the power of licensing these floating wharves?—I should have no objection to their having the power, so that it came to my knowledge, as interested in the port, and so that the questions for or against might be fairly discussed.

3222. You would like to have notice in the first instance?—Precisely so, through our representative.

3223. Mr. *Alderman Salomons.*] I think you said on Friday, as a matter of fact, that the South Eastern Railway Company were depreciating your wharf, because there was this pier before it?—Certainly, that is their case; that the value of our property has been depreciated by this pier.

3224. Is that one of the wharves which were alluded to, in the judgment of Vice-Chancellor Wood?—No; we commenced no action against the Conservators, because we had had notice from the Railway Company.

3225. But that is a property placed in a similar position, is it not?—Precisely in the same position as the City of London Brewery Company.

3226. With regard to the tolls on the upper and lower navigation when the conservancy was in the hands of the City, under the Navigation Committee, the accounts were kept quite distinct, were they not?—Yes; up to the period of the new Act they were kept distinct, but the new Act provides for the whole fund being merged into a conservancy fund.

3227. With regard to the barge-owners paying toll, do any barges pay toll till they come above bridge to the towing-path?—No; I think the point is Kew.

3228. Then do they go up to Kew without paying toll?—Yes.

3229. I think in the various proposals that were made for altering the conservancy of the river the dock companies were always the parties who suggested that they should have a voice in the new Board, were they not?—I have understood from the secretary of the London Dock Company, that so far back as 1847 the London Dock Company expressed that view themselves.

3230. I believe that the very great improvement in the river of making the waterway 300 feet wide arose from the representations on the part of the Dock Company?—I believe it did.

3231. With regard to the qualifications of the wharfingers you spoke of, do you think they would willingly contribute for the purpose merely of having the qualification to vote for a member of the Conservancy Board?—I think they would, and I will give you the reason for it. I know gentlemen who would have been very glad to come before this Committee and give evidence, but they are deterred from doing so because they are afraid of the Conservators.

3232. *Chairman.*] What are they afraid of?—They are quite willing to make any contributions to our funds, but they do not like to appear publicly against the Conservators; because they may, some day or other, have to ask some privilege from them, in the shape of a new pile, or a new something; and they prefer not to be, so to speak, in antagonism with the Conservators. Now, to get rid of a state of things like that, the wharfingers, I think, would not object to a nominal tax in order to create an electoral body.

3233. Mr. Alderman *Salomons.*] Then you think that the right way of forming a new Board would be to have the Watermen's Company, the dock companies, and the wharfingers all forming part of a representative body?—Precisely.

3234. *Chairman.*] The Watermen's Company included?—I think that the Watermen's Company, looking at the rights they have exercised on the Thames, would be fairly entitled to some representation on it.

3235. Mr. Alderman *Salomons.*] You said something about two steamboats; what were these two steamboats used for?—I heard it stated in this Committee that the steamboats were used for the purpose of the harbour-masters. I do not think the harbour-masters use them; as far as my own observation goes, I think they are used only by the Conservators themselves.

3236. Do you mean that they are not used for public purposes?—Oh, yes; they are used in connexion with the conservancy; and I have heard that they have been on foreign voyages. I do not know whether it is so or not.

3237. Do you mean to say that you think the conservancy is not economically managed?—I do not myself see the use of two steamboats. The old Navigation Committee did without special steamboats to convey them about; and I know that two steamboats cannot be kept up under a very large sum of money.

3238. But, at the present day, you would not send the Conservators, on public duty, in rowboats on the river, would you?—I do not see why you should not do so; I go about in them myself.

3239. *Chairman.*] Your duties, probably, do not require that you should occasionally traverse 70 miles of river?—No; no doubt that is so. I do not wish to be understood as complaining of it.

3240. With regard to the foreign voyages you have alluded to, have you any authority for that statement?—I believe there has been a case where they have crossed to the Belgian coast.

3241. Mr. *Cave.*] What is the tonnage of these steamers?—I do not appear to have that information with me.

3242. Mr. *Ewart.*] Do you know these steamers?—Yes.

3243. About what size are they?—I should say the "Conservator" is from 100 to 150 tons.

3244. *Chairman.*] What is the size of the other?—Not so much as that.

3245. Mr. Alderman *Salomons.*] With respect to these piers, are you of opinion that dealing as the Conservators have done with private interests, who by enterprise have made a trade at these piers, that they ought, if they are taken from them, to be compensated for it?—Clearly. I cannot understand that so great a private injustice should be done without some means of its being compensated for.

3246. And the purport of the judgment of Vice-Chancellor Wood was that, although they had power to do what they had done, they had really done a very serious injury?—I believe that was the general tenor of his judgment.

3247. Mr. *Longfield.*] I think you stated that, in your opinion, the soil and bed of the river was vested in the Crown for public purposes?—Yes.

3248. Do you know that the Crown has always resisted that supposition, and has invariably claimed it as its own private property?—I know that the Crown, in certain cases, have contested it; I had a case of my own, in which I was interested, where they did so, at Lowestoft.

3249. Do you not know that, in all cases, they claim the foreshore, precisely in the same way as the Woods and Forests claim the land?—I do not know that they go to that extent. In my case they were quite willing that I should have an interest in it as well as themselves.

3250. But are they not in the habit of selling it, and claiming licenses for minerals?—Yes, I think they are.

3251. Their claims on the coast of Wales caused a great commotion there, did they not?—Their claims and their rights are two things.

3252. But they have enforced their claims, have they not?—They may have enforced them, because it answered the purpose of individuals rather to pay than to contest them.

3253. The Act of Parliament under which the Conservancy Board acts, gives over one-third of the proceeds to the Crown, I believe?—Yes.

3254. As part of the Crown rights?—Yes.

3255. Acknowledging, therefore, that the Crown have both the claim and the right?—Yes; there is no doubt that the Act of 1857 was the result of a compromise.

3256. In your opinion, then, that one-third should be thrown in and made a common fund with the other charges?—Unquestionably.

3257. Then the excessiveness of the charge must partly arise from the Crown's enforcing this claim, must it not?—No doubt that was a consideration in the mind of the assessor when he fixed the charge.

3258. Have you looked over the receipts and disbursements?—Yes, I have looked at them.

3259. If there had been a considerable reduction of these charges, with a view to accommodate the public, would it not be insufficient to meet the expenditure?—As I said before, it is impossible for me to distinguish from these accounts between the accounts above bridge and the accounts below bridge. I have no doubt, as regards below bridge, the receipts would amply cover any expenditure which the Conservators may have made.

3260. So far as the Conservancy Board is concerned, there is the one duty to perform, above and below bridge, precisely as there would be with respect to a road going into two counties?—As I said before, this Act creates a conservancy fund; it makes no distinction, as was originally the case, between above bridge and below bridge; but I think that the shipowning portion of the port of London have reason to complain that their trade should be taxed for the purpose of a river communication above bridge.

3261. Then you think the system itself, as created by the Act, is an unjust one, and not that the Conservancy Board have acted unjustly?—I do not charge the Conservancy Board with having acted unjustly at all.

3262. A common duty is placed upon them, is it not; but you say that that duty should be divided into two branches, with separate funds?—For that purpose.

3263. But is not the shipping port below bridge, and the accommodation below bridge so intimately connected with the river above bridge that in truth the distinction in terms is not very well founded?—Oh, dear no.

3264. Are the terms very distinct?—Very distinct.

3265. Do the vessels that unload below bridge never send up cargoes above bridge?—They send coal and corn; that is the principal.

3266. Then you admit, as far as coal and corn are concerned, that vessels below bridge are concerned with those above?—Yes; and I have no doubt if the Conservators confined the expenditure to vessels of that description their funds would be more than ample to meet the exigencies, but when they are building piers for the conveyance of the public, and doing other matters in connection with the above-bridge navigation, I think the public using those piers should pay for the accommodation they get, and not the trade and shipping of the port.

3267. You think, therefore, that below bridge the trade and shipping of the port should be the taxed body and the electoral body, including the docks and wharfs?—That depends entirely upon whether I thought the whole of the Thames ought to be under one management. I said I did think so. I think the taxation below bridge should be entrusted to the electoral body, but if it is to be one body it should extend throughout, at the same time there can be no difficulty in making the arrangement with regard to the shipping of a port which does not come below bridge, and that which is above. I have sat in this room from day to day, and certainly it has been painful to me on one or two occasions to hear the efforts and the observations made with regard to what has been done above bridge, neglecting the trade and shipping below bridge. I will not say "neglecting," but leading to the conclusion that the object which they have had in making these piers and accommodating the public above bridge was for the passenger traffic of the City of London, therefore, if they ask for it they ought to pay for it.

3268. Have they not, below bridge, removed shoals and laid moorings, and buoyed the river?—Yes. I have already given them credit for what they have done.

3269. Has there not been a considerable expenditure of their funds below bridge?—Yes; at the same time they have employed the funds below bridge for purposes above bridge.

3270. Have they not greatly improved the shipping accommodation below bridge?—I cannot see that they have increased the shipping accommodation at all. They have improved the tiers, and things of that description.

3271. Have they not deepened the water?—Yes.

3272. Then you do not think the Conservancy Board is too numerous a body?—I should like to see it more numerous than it is.

3273. How many more should you like to see?—I should like there to be a working committee, if that were practicable, and a whole Board, so that in the event of any decision of the committee being injurious, or being felt to be a hardship by any person in connexion with the committee, they should have an appeal to the whole Board.

3274. Would you say that six, in addition to the present Board would be sufficient; that would be eighteen. Would that be numerous enough for working; would that give a good committee and a good Board besides?—You would have to be guided in that by the number of interests affected. It is a question that I can scarcely answer offhand, as to the number I could recommend until I saw the form that the electoral body would take.

3275. Are you aware that some of the members of this Board, to the number of five, are nominated?—Yes.

3276. Do you think that they should still be

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nominated, in order to preserve the public interests?—I think one member would be quite enough to represent the Government.

3277. And would you have all the rest elected?—All the rest elected. As I said before with regard to the Waterman's Company and the Trinity House, it would be for the Committee to determine whether they should send their representative or not. I do not think it is even necessary that the Trinity House should be represented.

3278. I think you say that the charges are excessive, and their plan defective or fluctuating?—No; what I said was this: that the charges were excessive, which I think I have answered, and that I thought they had no defined plan to which to work.

3279. That the Board should be elected so as to represent the public?—Yes.

3280. That the ballasting and the entire conservancy of the Thames should be placed under one body, and not under two?—Yes; and that the funds should be appropriated to the purposes of the river.

3281. That the Crown's rights should be vested in this Board?—Yes; or the Crown's rights had better be discounted at once, and done with.

3282. And also that the Conservators, as at present elected, have committed injustice under the Act of Parliament?—Precisely. I should remark that it is not new for things in connexion with the port of London to be paid for out of the Consolidated Fund. Originally the mooring in the Thames between London Bridge and Bugsby's Hole was a monopoly in the hands of Lord Gwyder. He received compensation out of the Consolidated Fund. There was, I think, altogether to him, and other parties, a very large sum of money paid.

3283. Mr. Alderman *Salomons.*] Was that done within the last few years?—No; it was in the year 1799. I have the Act here.

3284. Mr. *Longfield.*] In looking over your very excellent work, I observe, although there is an allusion to the Conservancy Board, you say nothing about its management, and make no complaints?—No; it was not for me to throw mud upon the Conservancy Board.

3285. Nor have you given any hints as to the improvement of the Board?—I made an observation that I thought the time would come when the Conservators and the Crown would feel that they had made an improper compromise.

3286. Mr. *Ewart.*] Is it your opinion that the Liverpool plan could be carried out in this case?—It would require modification, in consequence of the altered circumstances.

3287. There are no dues on shipping, I believe?—Not paid to the Conservators, although they sought to make charges by their late Act.

3288. What, in your opinion, should be the qualification of an elector?—In Liverpool, it is a payment of 10 *l.*

3289. Is that 10 *l.* of dock-rates per annum?—Yes.

3290. And what, in your opinion, should be the qualification of the elected?—The qualification of the elected should be that they should also be parties who pay to the fund.

3291. Ratepayers, you mean?—Yes.

3292. And should you consider that the qualification of an elected should be the same as an elector?—I do not see any objection to it.

3293. Are you aware what the qualification is in Liverpool?—No; I cannot speak to that offhand.

3294. You may take it that it is 25 *l.*?—I do not think that it makes any material difference. I pay some hundreds a-year to the port of London myself as a shipowner.

3295. Do you think that the members of the Conservancy Board should be paid?—As a rule, I have a very great objection to unpaid services; but I think in a case of this kind, if everybody is represented, there is quite sufficient direct interest to make it worth their while to attend to it.

3296. Do you think they would not attend regularly without payment?—I should not object to a payment.

3297. Are you aware whether they are paid or not in Liverpool?—I am not.

3298. Are you aware how many there are at Liverpool?—I am not aware.

3299. There are 28?—I have not troubled myself much upon that point, because Mr. Farrar has already given evidence upon it.

3300. How often do you think the the Board should meet?—I think, as to the Board itself, I mean the aggregate Board, it would not be necessary for them to meet more than once a month; but I think the Committee should meet once or twice a week.

3301. Then you think that the Board should subdivide itself into committees for the working part of the business?—There is no doubt that would be the practical operation of it; and from that working committee there should be an appeal to the general Board. At present, we have no appeal whatever. It is simply the law of the Medes and Persians, we cannot do it.

3302. Then you would have the committee meet more frequently than the Board itself?—Yes.

3303. And then the committee should report their proceedings to the Board for confirmation?—There might be many things put within the scope and power of the committee.

3304. Without the interference of the Board, do you mean?—The Board might have a negative voice upon it, if they thought fit.

3305. Would you authorise the committee to carry out anything without previously submitting it to the Board?—Within certain limits, which might be defined, for instance, there must be some discretion given as to where dredging is to be done, and things of that description; that would have to be done by somebody, and might be done without submitting it to the Board, unless when the principle was to be discussed generally, as to where the river was to be cleared next.

3306. I think you also stated that you considered that the right of voting should be in the docks, in their corporate capacity?—Yes.

3307. As well as the ratepayers?—Yes; not as individual ratepayers.

3308. How many votes would you give to the different dock companies?—What I should do would be to give them a representative.

3309. Would you give each dock company a representative?—In the aggregate of the docks.

3310. You would have one elected by all the dock companies, would you?—Yes.

3311. Sir *John Hanmer.*] One representative for all the twelve millions of capital?—To represent the dock companies.

3312. Mr. *Ewart.*] How would you have the others

others elected?—I would have one elected by the wharfingers.

3313. One to be elected by all the wharfingers?—By all the wharfingers, so that each interest might be properly represented; and whenever anything was brought forward affecting them at all, it should be made known to the whole body whom it concerned.

3314. Then the whole body of wharfingers below London Bridge, you think, should have a right of nominating one person to this Board?—Yes; they are a defined body. I have here a list of those who are at present licensed by the Customs; it is a list published by the Customs authorities.

3315. Mr. Alderman *Salomons.*] How many do they amount to altogether?—One hundred and eleven.

3316. Mr. *Ewart.*] You think there would be no difficulty in carrying out the plan which you call the Liverpool plan?—No, I do not see any difficulty myself.

3317. Are you in favour of their proceedings being made public?—Some clause of the kind, such as was contained in the Customs Consolidation Act, might be adopted; if a party finds himself aggrieved, there is the power of an open court, to which the matter can be carried. I do not think it has been made use of on more than two occasions; but I think it is that very circumstance which prevents it.

3318. In Liverpool the proceedings are public, I believe?—Yes; I see reports of their proceedings in the newspapers, so I conclude they are.

3319. *Chairman.*] Is it the same on the Tyne?—Yes.

3320. And on the Weir?—Yes.

3321. Mr. Alderman *Salomons.*] What is the objection by them?—I see no objection whatever.

3322. I suppose nobody would attend unless they were interested in the proceedings?—I suppose not; and not only that, but if they got into the local papers, of which we have such a numerous crop now-a-days, we should all know something about it.

3323. Mr. *Longfield.*] Therefore you think it would be an advantage?—Yes.

3324. To what court would you give an appeal from the decision of the Board?—The Customs Consolidation Act constitutes a court of certain of the Commissioners in open court; if a merchant feels himself aggrieved, he can apply to that court; it is an open court, to which anybody can go, if they think fit.

3325. Do the Commissioners understand those questions, do you think?—They are generally practical questions.

3326. Do they understand the navigation question, for instance?—It does not apply to the navigation, it only applies to the operation of the Customs Act itself.

3327. To what court would you give an appeal from the Conservancy Board?—I would not appeal from them, I would appeal to the Board itself.

3328. To the whole Board?—Yes.

3329. Then would you have the decision of the Board final?—Yes.

3330. Mr. *Ewart.*] Do not you think it would be giving the committee great power to carry anything into effect without getting the previous authority of the Board?—You must give the committee power to a certain extent; if they do not have it by Act of Parliament, they will have it practically, because you would clog the operations of a corporation like the Conservancy Board if you had to wait, for instance, a fortnight, or a month, before anything could be determined upon.

3331. The matters that you are referring to then are matters of urgency, are they?—Yes. It seems to me that if the Board of Conservancy had a defined plan, which must be kept within and worked to in connexion with the improvements of the river, and everything of that description, it might be very well within the powers of a committee to deal with anything that was within the scope of that defined plan.

3332. For how many years do you think that these members should serve?—I think that they should go out in certain proportions, the same as some of the dock directors do now.

3333. *Chairman.*] As they do at Liverpool?—Yes; so many go out each year.

3334. Mr. *Ewart.*] Would you have them elect their own chairman?—Yes, I think they should elect their own chairman.

3335. And that the parties should be eligible for re-election?—Precisely.

3336. Mr. *Cave.*] I do not exactly understand your proposition as to the constitution of this Board; do you say you would have the Corporation elect one member?—I think the Corporation should be represented by virtue of their ancient right.

3337. The Trinity House, I understand you to say, you would leave out altogether?—If the ballast was taken in the Trinity House, I do not see their connexion with it at all.

3338. The Watermen's Company would be represented?—Yes.

3339. And the shipowners?—Yes.

3340. And the dock-owners?—Yes.

3341. And barge-owners?—Yes.

3342. Is there any body else that you would wish represented?—Yes, all the property owners on the banks of the Thames, if some equitable tax could be placed upon them for the purpose of making an electoral body, should be represented in some form or other.

3343. Would you give the electors votes in proportion to the amount of the rates they paid?—No; I should simply give them one vote.

3344. Then, whatever the amount of a man's property on the river might be, he would have one vote?—Yes.

3345. For instance, if he had 20 ships going to Calcutta, he would have the same vote as a man that had one barge?—Precisely.

3346. Have you considered the number of representatives that you would have upon the Board?—That would depend upon the form in which it was proposed to put the elected Board, or rather it would depend upon the form of the electoral body. The reason why I think the property owners should be represented is simply this, that the Conservators have the power, if application is made for an embankment, or a wharfinger purposes to put down a mooring, or a pile, the Conservators are enabled to permit it to be done, and be taxed by the Conservators for it; therefore, I think these parties ought to be represented as well as the bodies I have mentioned, and that might perhaps make the Board somewhat more extensive.

3347. Would you have the whole body elect a certain number of candidates, or would you have each

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each body send its own candidate?—I would have each body send its own candidate.

3348. Then would each dock company send its own representative, or should the docks generally be represented by one person?—By one person.

3349. Then we come to this difficulty. You know, of course, as well as most of us, that the dock companies compete with each other, and, we may say, are antagonistic bodies?—To a certain extent they are.

3350. Then supposing, for instance, that the Victoria Dock succeeded in sending its representative to the Conservancy Board, do you think that the London Dock or the St. Katherine's Dock would consider that that person would fairly represent them?—I should think so, for the purposes of the river.

3351. You do not think the difficulty I have suggested would be one practically?—No; in those cases their interests would be in common.

3352. We have heard that great difficulty has been experienced by Conservators in managing the barge-owners, because their interests are antagonistic to those of the shipowners?—Yes.

3353. Would you let the barge-owners send a representative as distinguished from the shipowners?—Certainly; each would take his share in the representation.

3354. Would you not then get a body something like the Marylebone vestry?—I think you would get a body of men who at all events would have a stake in the country.

3355. Would not such a body, however fairly constituted, be likely to quarrel among themselves rather than to agree upon any well-defined line of conduct?—I should think not; it is not found so in practice in other cases; if we take Liverpool, for instance, I have not heard that it is so there; of course there are two sides to every question; each have their own advocate; I have an extract here from the proceedings of the Tyne Conservators; it was sent to me this morning, cut from a newspaper, and I believe it is the same with respect to the Weir.

3356. We hear, for instance, of vestries mismanaging the streets; that the streets are always pulled up at the wrong time, and a variety of complaints of that kind; would there not be the same thing with the Conservancy Board?—There is this distinction between the case I am putting and the case of streets; that each man here has an interest in it, whereas a vestryman would have no interest in the street that is pulled up.

3357. Then, again, would not a representative of any particular body be likely to be less independent in his opinions, than if he represented such a Board as the Trinity Board?—Not in my view of the case; he is there for that very purpose, to see that the interests he represents are properly represented.

3358. Then he would be a delegate rather than a representative?—Yes.

3359. Have you given your attention at all to the working of the system which you advocate in other ports?—No; except the general knowledge which a person in my position always requires in reference to such things.

3360. Do you hear that there are much the same complaints in other ports as in the port of London?—No; I was saying that I have had an extract sent me this very morning from the proceedings of the Tyne Commissioners. Although gentlemen have something to say on both sides, they generally arrive at one result, which meets the difficulty in some way or other.

3361. As to the difficulty about the accounts being separated above and below bridge, that would, of course, be got over in the case of such a Board?—Yes.

3362. I mean there would be only one system of account?—There could be no difficulty in the accounts being kept separately. I think it is the duty of every body, whether it be a Board or a Company, or a private individual, to keep their accounts under such heads as to show which part of the business was paying them, and which was not. I can see no objection to accounts being kept in that form.

3363. But you would not object in that case to the surplus of the money received below bridge going to the piers?—Yes, I should, decidedly.

3364. What broad distinction is there above and below bridge that would make you draw the line?—Above bridge, is what I may call simply a metropolitan communication; below bridge, the interests are of a different character entirely. The interest below bridge has reference to the trade and commerce carried on below bridge. I say that if parties are to be accommodated with pier accommodation, or any other, it is only right and proper that they should pay for it themselves, and that they should not tax any other body or interest for their own peculiar or particular service.

3365. Do not the goods that ships bring into the river below bridge to the docks and wharves, go up in barges above bridge?—Some do.

3366. And a good many, do they not?—The Thames Embankment will reduce the quantity of coals very considerably that has hitherto been sent above bridge; and as I remarked before, in answer to an honourable Member, if the money that was received above bridge for tonnage, and so forth, were applied simply to the purpose of the waterway, that would be sufficient for the purpose; but there is not sufficient when it comes to be applied to piers and things of that description.

3367. The steamers pay pier dues above bridge, do they not?—Yes; whether they pay an adequate sum or not, I do not know.

3368. With regard to these funds above and below bridge, I suppose you would be still less willing that the 8,000*l.* a-year should be taken away from the Thames altogether, for the Dublin Port and Northern Lights?—I think it is a great injustice to the port that our trade should be taxed to that extent for that purpose.

3369. You know that that sum was paid last year, do you not?—Captain Pigott, I think, admitted it was 8,000*l.* last year, but upon the average, I think he stated it was 4,000*l.*

3370. *Chairman.*] That is a surplus?—Yes.

3371. Mr. *Cave.*] Do you think on principle that this surplus should not be expended for purposes foreign to the interests of the river?—Foreign to the port.

3372. I want to ask you one or two questions about the charge against the Conservators, with regard to the silting up of the entrance to the dock; do not the Commercial Dock Company dredge opposite their own dock?—I do not think they go into the river, they may dredge within their own limits.

3373. Do the London Dock Company dredge?—My own impression is that the London Dock Company do not dredge at all, but they use something tied behind a steamer, or they did so when I inquired into the circumstance some time ago.

3374. Do

3374. Do you think that the Conservators ought to dredge at the entrance of docks?—Certainly, beyond the dock companies' limits, the trade of the port could not be carried on without the dock companies.

3375. Mr. *Locke.*] What are the limits?—A hundred yards.

3376. Mr. *Cave.*] Is this bar beyond that?—No, not wholly.

3377. If the Conservancy Board lent you a dredger, and asked you to do it yourselves, would you not think that fair?—If they would work the dredger I would do the other part of the work; not that I think it is right, but as a means of getting the work done.

3378. You stated that you knew nothing of the derrick until the whole thing was at an end; was not the negociation going on for some time between the Conservators and the owners of the derrick?—I believe so.

3379. But you did not hear of it yourself?—I knew nothing of it till the permission of the Conservators was obtained, then I was informed that permission had been obtained, and that it was going to be placed there.

3380. I think you said, the other day, that the coal trade first started the idea of having cranes upon the river?—Not there, in the Pool.

3381. I suppose that was the reason why the Conservators put it into their Bill?—No doubt.

3382. They gave it up, I think, after they found they were mistaken?—They withdrew the clause.

3383. I think you stated that you were chairman of an association for the purpose of altering the system of conservancy?—Yes.

3384. Of course, you carefully examined into the whole of this case?—So far as my own knowledge goes.

3385. Did you apply for the opinions of the different parties on the river?—There were very many parties represented at the different meetings of the association.

3386. Did you communicate with the various parties interested on the river who could express an opinion?—The secretary did.

3387. Was that opinion almost universally in favour of the views you have stated to day, and against the present working of the Conservancy Board?—I have not been through the letters myself, but I may state generally, that that was the impression conveyed to the Committee, and that was the impression acquiesced in by the gentlemen who were present; I must not go to the extent of saying that they acquiesced in being taxed.

3388. Did they put the same question as the Committee have put to day as to your opinion of the working of the conservancy; did the secretary do that?—The secretary will be examined before the Committee, and he can answer as to that.

3389. Mr. *Locke.*] You have enumerated, I think, seven different bodies you should send, representatives to the Board, if formed anew, namely, the City of London, the Watermen's Company, the ship owners, the dock owners, the wharfingers, the barge owners, and the property owners?—Yes.

3390. And you propose that the dock company should send one?—Yes.

3391. There are now 13 Conservators, are there not?—Yes; if you represent the property owners you will have to divide them perhaps, according to the counties in which they are.

3392. Would you send one for each?—I should send one for each county.

3393. How many would that make, because you started by saying that the Board should be more numerous?—I said I thought the Board should be more numerous.

3394. I want to know how you would make a more numerous Board when you only have seven constituent bodies?—My original impression was that there would probably be a disposition on the part of the Committee to continue the Conservancy Board as it at present exists, adding to it the interests I have given to day.

3395. Would you give the City power to send six representatives of the present?—I was coming to that; I was going to say that if we were beginning *de novo*, the number of members would probably have to be increased above the one representative that I have referred to.

3396. Then, in point of fact, you have not arrived at any specific number that you would have sent by vote to this body?—No.

3397. You only think that these are the bodies that ought to send representatives?—Just so; if I knew what the electoral body was to be, I should be prepared to recommend the number to be sent by each.

3398. You have been asked with regard to the powers that were granted to the committee, would it not be as it is in other bodies, entirely at the discretion of the whole Board?—Precisely.

3399. The Board appoints a committee, they define their duties, certain powers, they delegate to them other powers they do not allow them to exercise unless they have the sanction of the Board?—Yes.

3400. Would you adopt the same course?—Precisely.

3401. That is the course adopted in the Court of Common Council, is it not?—I believe it is the usual course.

3402. There are a certain number of committees in the Court of Common Council which are empowered to act at once, but in general they report to the Court, I believe?—Precisely.

3403. And that, I believe, is the case in most bodies?—In most bodies.

3404. Would you adopt the same course that is usual?—I should.

3405. You have been asked about the warehouses above bridge, and I think you said there were very few?—No; I have not said anything as to the number of warehouses. I spoke of the goods that went above bridge.

3406. The goods go into warehouses above bridge, do they not?—Yes.

3407. And there are wharves and warehouses above bridge?—Yes.

3408. On the south side, are there not some very important wharves and warehouses?—Yes.

3409. There is Hibernia Wharf, for instance, immediately on the west of London Bridge?—Yes.

3410. And so going on all the way up to Blackfriars?—Yes.

3411. Are there not most important wharves at Bankside, and all about there?—Yes.

3412. You have made some proposition with regard to the money received below bridge, being appropriated entirely below bridge?—The observation I made with reference to that was this, that I have no doubt, so far as the money that is received below bridge went.

3413. Money received from what?—For instance,

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stance, the toll above Kew, and the toll on passengers, and things of that description; but with regard to the warehouses on the south bank, they are similarly situated to those on the north and south banks below bridge. I should put them on all fours.

3414. Then, as I understand you, you would extend the port of London. Where does it reach to now?—The port of London extends to the North Foreland.

3415. But where does it extend to in London, westwards?—It is very clearly defined in the Act of Parliament, "From London Bridge to the North Foreland."

3416. You say what is received below-bridge is appropriated to purposes above bridge; in fact, it is all amalgamated by the Conservators?—Yes.

3417. Do you still adhere to the opinion you gave just now, that that which is received below-bridge should only be appropriated to purposes above-bridge?—I have no objection whatever to the money being appropriated to anything that has reference to the trade and commerce of the port.

3418. Then, if it had reference to the trade and commerce of the port, it would clearly extend to Westminster Bridge, would it not, to say the very least of it?—I think, if I may be allowed to continue, my observation would cover your remark. I was about to say that I do not think the trade and commerce of the port should be taxed for the passenger traffic above-bridge. That was the extent of the observation which I previously made.

3419. Then you think they should be taxed for any improvements that might be made in the river: to what extent?—As regards the tax, do you mean?

3420. For instance, removal of shoals, dredging, and so forth. How far would you say that the money received below-bridge should be appropriated by the Conservators to those purposes above-bridge?—What I have said is this, that I did not think the wharfingers and others would object to a nominal tax for the purpose of creating an electoral body, and the fund would form a common portion of the Conservancy Fund for the improvement of the navigation of the Thames.

3421. That has nothing to do with the money already received, and which, I suppose, would continue to be received?—Yes.

3422. Do you mean to make any alteration as to the appropriation of the money under the new system?—What has been done before could be done again. Before the Thames Conservancy Fund was formed the two accounts were kept distinct.

3423. What two accounts?—Under the Thames Navigation Committee the accounts below and above bridge were kept quite distinct.

3424. What did those accounts consist of?—As far as I have been able to make out, they consisted simply of the receipts made above and below bridge.

3425. What were the receipts above-bridge made from?—First, there was the toll.

3426. What toll?—The penny or three-halfpenny toll, as the case may be, above Kew.

3427. Was there anything else?—There are some regulations regarding the ballasting and so on; but I have not paid attention to that, because it is too remote.

3428. Do not you consider that the warehouses and wharves above London Bridge (in fact, throughout the whole way, up beyond this house), are connected with the trade and port of London?—More or less, no doubt.

3429. In point of fact, are not Alderman Humphrey's warehouses, and those warehouses on that side, and, again, all those on the north side above-bridge, as much connected with the trade and port of London as the warehouses below-bridge?—Not so extensively; they form a very small portion of the aggregate.

3430. Are not Alderman Humphrey's wharves some of the largest on the banks of the Thames?—Yes; but if you compare those with the aggregate warehouses below-bridge, it is not so.

3431. If you take all those above-bridge as far as they extend, of course the distance is not so great as it is below; but are they not just as much connected with the port of London as the others?—To the extent to which they go.

3432. Then ought they not to have the same benefit as the rest?—In what respect?

3433. In any improvement that might be made?—Decidedly.

3434. I see you have been asked a question with regard to the Docks claiming the right to charge lighters coming in to ship goods?—Yes.

3435. Take your own Act of Parliament; what is the clause which prevents them from doing it?—I will read it: "That all lighters and craft entering into the said docks, basins, or cuts, to discharge or receive ballast or goods to or from on board any ship or vessel, shall be exempted from the payment of any rate, and also all such ballast or goods so discharged or received shall be exempt from any rates, dues, or charges whatsoever."

3436. Is a rate put upon them upon the principle of the Docks forming part of the port of London?—No doubt.

3437. And that is the principle that has always prevailed, is it not?—Since the Docks were established; but it is questionable whether the Dock Companies ought to be put to the expense of opening their gates without payment.

3438. When they open their gates, they do it for the purpose of something coming in, or being taken out, do they not?—Yes.

3439. A lighterman does not go on a pleasure excursion into the Docks and out again, does he, without being employed to take in goods or come out with them?—The Dock Companies get nothing out of those goods.

3440. Does he go there for his own amusement?—He goes there for his own convenience.

3441. I suppose when he is employed by the shipowner or the consignee?—As a rule, he is employed by the consignee.

3442. Who has goods on board the vessel?—Yes.

3443. You make a charge upon the vessel coming in, of course?—Yes.

3444. And you make such charges as you think will pay you, I suppose?—They do not pay us.

3445. Is that because there is so much competition among the Dock Companies?—I am afraid it is so.

3446. Still you manage to go on, and make a dividend?—Yes.

3447. Is not this the object of the Docks: do not they say, If we we can put a tax on all the lighters coming in with goods to put into a vessel, or coming in to take goods out and carry them away

away, particularly with regard to taking them out and carrying them away, we shall induce persons to warehouse them in our warehouses in our Docks?—No doubt the fixing of a charge would have that tendency; but, at the same time, it cannot be contended that the Dock Company should do any work and not be paid for it.

3448. Are they not paid for it by the shipowner?—No.

3449. Then who pays them?—Nobody; they are not paid at all. Lot after lot goes into a barge, and I do not get a shilling for it.

3450. Would you not think it a very hard thing if a warehouseman, who charges for goods being deposited in his warehouse, charged the man who came to take them away for opening the door, in addition to his charge for warehousing the goods?—There is no analogy; the ship does not belong to the Dock Company. If it did, it would be a different thing.

3451. No more do the goods, do they?—The warehouse does, and he has a profit on the warehouse; but the Dock Company get no profit out of the ship.

3452. He gets a profit on the ship that comes into the dock, does he not?—I think not.

3453. It is charged for, is it not?—It is charged for, but there is no profit.

3454. However, you admit that the effect of putting a tax upon the lighters coming into the Docks, would be that you would warehouse the goods that were in the ships as well as accommodate the ships coming in there?—What I admit is, that it would have that tendency.

3455. That, in point of fact, is your object, is it?—No.

3456. You recollect an Act, last session I think, which formed a portion of the Merchant Shipping Act: I allude to certain clauses for clearing inwards and lien for freight?—Yes.

3457. There are certain clauses in that Bill which are headed, "Clearances inwards and Lien for Freight"?—Yes.

3458. The dock-people made the same struggle there, did they not?—We made no struggle whatever; we did not concern ourselves with it at all.

3459. The other Dock Companies did, and you stood alone, and took the benefit of what the others did, I suppose?—Yes.

3460. That was so, was it?—Yes.

3461. You knew that it was going on?—Yes; I knew it was going on.

3462. The object, therefore, was to shorten the time during which goods might be received in the ships, was it not?—I do not think the Dock Companies took much action in the matter.

3463. That was the object of, was it not, shortening the time?—No; it was more especially defining the time rather than shortening it.

3464. And shortening it too?—And shortening it too.

3465. They defined it to be 24 hours instead of 48, did they not?—No.

3466. That certainly was the definition of the witness, was it not?—Yes.

3467. Was not that with the same object, so that you might warehouse the goods, instead of the warehouseman, by the side of the river?—I think I am quite justified in saying that the Dock Companies had nothing whatever to do with that clause originally.

3468. Would it not have that effect?—Yes.

3469. You say they had nothing to do with it originally, but when they saw it in the Bill they took an interest in it, did they not?—Exactly.

3470. The proposition you make here would tend precisely in the same direction, would it not?—It would tend in that direction, certainly.

3471. And would it not tend to make the Docks a monopoly?—I do not see that.

3472. What! not if they put such a tax upon lighters coming in as would prevent their coming in, and thereby prevent lighters coming in and taking away goods and carrying them off to other warehouses, and induce the shipowners to place them in your warehouses! If that were accomplished, would not that tend to a monopoly, so that all the goods would be warehoused in the Docks?—You are putting a case that has never been attempted. The case is simply this, that the Dock Companies say (and I think very fairly, without reference to my being a dock-owner or a wharfinger): If we let a ship in, if it only bears the character of a ship, if it is no larger than a barge, we get paid for opening and shutting our dock-gates. It was not sought, and never has been, that I know of (certainly, I have not been a party to it), to put such charges as would materially affect the warehousing of goods.

3473. If that clause in the Act of Parliament were repealed, and the Dock Company had the privilege of putting a tax upon all the lighters coming in, I suppose you will admit that they might put on a large or a small one?—That could be defined in the Act. If they had an absolute power, it might be so, of course.

3474. When you got the privilege of making this dock, was it not distinctly stipulated that the dock should form part of the port of London?—Yes.

3475. That being one of the considerations why you were allowed to make the dock?—No doubt; it was part of the Act of Parliament.

3476. And that you now seek to repeal?—Oh, no; I have not sought anything of the sort. The question is put to me, and I answer it.

3477. You think it would be a very good thing to have it repealed, I suppose?—So far as I am concerned.

3478. Mr. *Cave.*] Were not certain monopolies originally given to the Dock Companies by Act of Parliament?—Yes, the whole of the original docks had that monopoly.

3479. Which monopoly has now expired, and been done away with?—Yes.

3480. Therefore, if the benefit was given by Act of Parliament, and afterwards taken away do you imagine that certain obligations which were imposed by that Act might also fairly be repealed?—No doubt. The case was put of the other Docks, which does not apply, but in the case of the London Docks it would apply.

3481. Mr. *Locke.*] Are you alluding to the sufferance wharves?—No; I am alluding to the Dock Company's privileges.

3482. How were they interfered with?—For instance, take the case of the East India Docks; they had a monopoly for 21 years.

3483. Mr. *Longfield.*] Those privileges have expired, have they not?—No application was made for renewal. The West India Dock, when it was made, had a monopoly of certain trade, which was defined.

3484. Will you explain what it was?—All shipping arriving from such and such places (defined in the Act) were to make use of the West India Dock.

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3485. And no other place?—No, under a penalty.

3486. *Chairman.*] What was the date of that Act of Parliament?—1799. As to the East India Dock, that monopoly was as to vessels coming from the East Indies and China for the same period. The London Dock had similar privileges for a similar period. The St. Katherine Dock was the first dock that was made without any privilege of that description.

3487. Mr. *Locke.*] You say the Dock Companies did not apply for these privileges to be renewed?—No.

3488. They gave them up?—They gave them up.

3489. And you consider that having given them up, and not choosing to exercise them, gave them a right, or rather a moral right?—An equitable right.

3490. To tax somebody else?—No. I think at the time these privileges were in existence, had they been applied for again, they would probably have been conceded in some more modified form. The sufferance wharves and legal quays outside have derived advantages in consequence of these privileges having been surrendered.

3491. But the lightermen have derived no benefit?—The lightermen have derived no benefit.

3492. And the lighterman is the person who pays the tax?—No, the man who pays the lighterman.

3493. But if you put on such a tax as that the lighterman could not come in, you would tax him pretty well, would you not?—That has never been asked for.

3494. But if you had the privilege of doing so, you would put an end to his trade; and that would be worse than taxing him, would it not?—It is a very easy thing to put a hypothetical absurdity.

3495. Mr. *Cave.*] You ask for no privilege to put the lighterman out of the Docks, do you?—No.

3496. But simply to cause him to pay upon the goods what you think you ought to get for taking them overside?—Yes.

3497. If the Dock Companies chose to act in concert, I suppose it would be practicable for them to put such a tax as would effect this object?—It could be done by means of arrangements with foreign outports.

3498. Mr. *Locke.*] But not on coming into the Docks?—No.

3499. How could they arrange it with foreign ports?—It would be a very easy matter. Take a place like Calcutta; it would be a very easy matter to arrange the charges for discharging; in fact, it could be arranged with ships, before coming into dock, that they should pay upon all goods discharged overside so much more than they pay on landing.

3500. Mr. *Longfield.*] Would not that be a fraud on the Act of Parliament?—That would apply perhaps in that case; but I do not think it would in the other Docks.

3501. Would it not be a direct evasion of what the Legislature intended?—I am merely saying that it could be done.

3502. Between man and man, would you think that fair dealing?—We have not done it.

3503. But do not you think, as a man of fairness and justice, that it would be most iniquitous? Would it not be, in truth, a fraudulent evasion of what was intended to secure to the public certain advantages?—The way in which your question is put amounts simply to this: Do you think we ought to charge more to one party for discharging his goods than we ought to the other?

3504. No, I do not put it in that way; I merely ask, whether you do not think that such a mode of evading the Act of Parliament would be a fraud?—It depends entirely from what point of view you look at it.

3505. I look at it from this point of view: the Legislature intended that certain parties should have the same privilege of entering the Docks, as I have of entering an hotel, without paying every time I enter. Do not you think the mode of arrangement which you suggest between the Dock Company and the outports, to evade that which was intended by the Legislature, would be a fraud?—I do not think it would go to that extent; because whatever the Dock Companies could do would be legal. As you stand on strict legality, I do the same. If it was illegal, it would be a fraud; if it was not illegal, it would be no fraud.

3506. How is the Dock Company paid at present?—By the shipowner.

3507. For what?—For discharging goods.

3508. It has, in fact, a double source of profit, warehousing and being paid by the shipowner?—It has a double operation.

3509. The tax upon the lighters, then, would, in fact, increase the warehousing?—It would have that tendency, as I said before.

3510. Mr. Alderman *Salomons.*] In point of fact, is not the free admission of barges into the Docks the very foundation of the privileges of the Dock Company?—I really cannot answer that question.

3511. Was there not a great opposition by the wharfingers at the time the Docks were erected?—There was.

3512. And was not this one of the means of conciliating that opposition?—No doubt; the wharfingers contended that the Docks were part of the Thames and part of the port of London, and as such they succeeded in carrying this clause.

3513. Mr. *Cave.*] Did not the wharfingers get a compensation in money at that time?—The legal quays did; they were paid out of the Consolidated Fund.

3514. Mr. *Locke.*] That was in the Act of Parliament as it stood, was it not?—It was in the then existing acts.

3515. *Chairman.*] You have put in a list of the sufferance wharves in the Port of London; does that include the legal quays?—Yes.

3516. To the owners of these wharves and legal quays you would assign a representative at the Conservancy Board?—Precisely.

3517. Are there not wharves in the port of London other than sufferance wharves and legal quays?—Yes; my object in mentioning them was, that we had a defined body to go to.

3518. How would you deal with the owners of waterside property other than those?—I thought that a delegate elected by the wharfingers would sufficiently represent all waterside property.

3519. Then you would exclude the owners of wharves that were not sufferance wharves?—That is my view of the case; I have no particular reason, except the difficulty of getting up an electoral body.

3520. Then

3520. Then your plan is scarcely perfected or matured, is it?—What I felt was this, that in the case of the legal quays and sufferance wharves we had a body that was already defined by the Commissioners of Customs, and therefore it would not be necessary to set up any new machinery for the purpose of electing a member from that body.

3521. But above-bridge there are a great many wharves, are there not, which are not sufferance wharves?—Yes; there are a great many private wharves, and they would come within the description of the parties whom I suggested should be represented in the shape of counties.

3522. As the owners of property?—Yes.

3523. What limits would you assign to the action of this representative system?—I should give it the entire management of the River Thames.

3524. From its source to the mouth, do you mean?—From the source to the mouth.

3525. You seem to object to the application of the funds derived from below-bridge to the improvement of the river above-bridge: is that so?—Yes.

3526. Is not the condition of the river below-bridge acted upon, to an important extent, by the state of the water above-bridge?—To a certain extent it is.

3527. If the shoals which now exist between Teddington and Chelsea were removed, would it not afford an opportunity for the admission of a larger quantity of tidal water?—No doubt.

3528. I suppose that is an important element in the management of the river?—Very important indeed.

3529. Do you know the state of the river above Westminster Bridge?—I do not know so much of it above bridge as I do below.

3530. You speak of barges proceeding up the Thames from the Port of London being loaded only with coals?—Principally with coals and corn.

3531. Do you know anything of the Brentford Docks?—Yes; and I have no doubt that there will be a large trade there, some day, from the manufacturing districts.

3532. But even in the present day, are there not articles of merchandise other than corn and coal go into that dock?—Those that are dependent upon those two articles that I have named, oilcake, and matters required for agricultural purposes.

3533. Is not that dock in connection with a very important railway?—Yes, with the Great Western Railway.

3534. Are not articles conveyed to and from the railway by means of the Brentford Dock?—Yes. It will be a very important dock; it is a mere question of development, a question of time.

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3535. Mr. Alderman *Salomons.*] You say that you object to the expenditure of the money by the Conservators above-bridge?—Yes.

3536. I also think you said that you objected to its being expended for the passenger traffic by the erection of piers?—Yes.

3537. In your opinion, could not the passenger traffic above-bridge have been accommodated without their laying out this money upon the piers?—I have no doubt it could; it had been accommodated before. I believe, if it had been approached in a proper manner, the property owners would have been disposed to give such accommodation as the river required.

3538. Do you think they would have put up such piers as the Conservators themselves have put up?—Yes.

3539. And they would have had a rent from them?—Yes.

3540. Which rent could have been applied to the upper navigation without any expenditure whatever?—Yes.

3541. Mr. *Longfield.*] Would they have been free?—Quite as free as the present ones.

3542. *Chairman.*] Do you know anything of Putney Bridge?—Yes.

3543. What is the state of that bridge?—Putney Bridge is a great impediment to the navigation.

3544. From what cause?—Owing to the closeness of the piles on which it is formed.

3545. Does it interrupt the free progress of vessels up and down the river?—Very much.

3546. Is it not desirable that that bridge should be removed?—I think so.

3547. Would not that be a legitimate work of a Conservancy Board?—I do not think they should pay for it out of their own funds, because I apprehend somebody claims certain rights in connexion with Putney Bridge, in the same way as with most of the other bridges, and probably other parties could be got to improve it.

3548. But, inasmuch as it offers a very important obstruction to the free navigation of the river, do you think it would be the business of the Conservancy Board to take measures for the removal of that obstruction?—I think it would.

3549. Sir John *Hanmer.*] The present bridge could not be improved, and must be removed altogether, you think?—I am not competent to give an opinion as to that.

3550. Mr. *Ewart.*] Do I understand you to say that you would place the whole of the River Thames, from the source to the mouth, under the Conservancy Board?—The whole.

3551. And you think there would be no difficulty in that Board managing such a great extent of jurisdiction?—None whatever.

Mr. John George Barry; called in and Examined.

3552. *Chairman.*] You are, I believe, the occupier of very large water-side premises at Bermondsey, called Meriton's Wharf?—I am in partnership with my brother, Mr. Alfred Barry.

3553. Those premises are very valuable and extensive, I believe?—They are extensive.

3554. Will you state what amount of poor-rate you pay per annum for the use of this wharf?—We pay about 5*l.* a-week.

3555. £250. a-year?—Rather more.

3556. You are well acquainted with the Conservancy Act of 1857, and with its operation, I presume?—I am pretty well acquainted with the Act as an Act of Parliament.

Mr. *J. G. Barry.*

3557. Are you acquainted with the manner in which the Act has been carried out by the Conservancy Board?—More particularly with reference to some of the bye-laws.

3558. Have you any remarks to make about those bye-laws? Do you object to any of them?—I had the honour of attending as a member of a deputation, before the Duke of Somerset as First

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Lord of the Admiralty, in 1860. I then read a paper, in which I complained principally of Bye-laws 16, 23, and 44. I will now explain my complaint more in detail.

3559. Were not all those bye-laws sanctioned by the learned judges to whom they were referred?—I believe they were.

3560. We will take Bye-law No. 16; what is the objection to that?—Bye-law 16 enacts: "That no vessel shall be moored on the banks or shores of the river so as to prevent the free transit of any other vessel, and it shall be lawful for the harbour-master forthwith to unmoor and remove any vessel so placed or moored."

3561. Do you object to the inconvenience of such a regulation, or to its illegality?—I submit to this Committee that that bye-law is not in accordance with the Act of Parliament.

3562. Can you refer to the clause which appears to give the Board power to do that?—The 80th clause relates to the power of harbour-masters.

3563. It is not that clause which gives them power to make the bye-law, is it?—No; but there is a separate clause referring to the powers of the harbour-masters.

3564. Which clause is it that authorises the Conservancy Board to make this bye-law; this bye-law rests only upon one provision in the Act of Parliament?—I presume it is made under the clause which authorises the Conservancy Board generally to make bye-laws, which is Clause 44.

3565. No; the bye-laws are framed upon the powers given to the Conservancy Board by Act of Parliament. Can you turn to the clause which relates to bye-laws?—The 44th clause authorises the Conservators generally to make bye-laws.

3566. Mr. *Longfield.*] You do not think it a lawful bye-law?—It is not in accordance with the special clause in the Act of Parliament, clause 80.

3567. *Chairman.*] In what respect?—Clause 80 specially provides that the harbour-master shall not unmoor or remove, from any part of the Thames duly appointed as a boarding, landing, or quarantine station, any vessel moored or placed there under the authority of the Commissioners of Customs. Practically, therefore, the bye-law authorises the harbour-master to remove any foreign vessel lying alongside a wharf or quay duly appointed by the Customs for the landing of the cargo of such vessels, and which vessel is consequently so placed under the authority of the Customs for the landing of the cargo, although the Act of Parliament expressly states that the harbour-master shall not do so.

3568. Now byelaw 23, what is the objection to that?—Bye-law 23, you are aware, was first issued by the Conservancy Board in one shape, and, after an agitation, principally carried on by myself, and occupying a period of two years, that bye-law was repealed.

3569. And another bye-law was, I think, substituted in its room?—Another bye-law was substituted for it, but I submit that the bye-law which is now in existence is not in accordance with the Act of Parliament; it appears to me that under clause 44 of the Act of Parliament (the Conservancy Act), the Conservancy Board are not authorised to say how many men we should have on board a barge; I do not mean to say but that it may be a very proper power to be in the hands of the Conservancy Board; I am simply submitting to your consideration that it is not one which at present they hold.

3570. That clause, I think, was sanctioned by Mr. Justice Erle?—The whole of the bye-laws, no doubt, were.

3571. Therefore, must we not presume that the Act of Parliament authorised the bye-law?—But I think that with respect to these bye-laws, so far as I understand the circumstances, they were drawn up and submitted to Mr. Justice Erle when the Watermen's Company's Act of 1827 was in operation. His lordship did not return them for a period of nearly twelve months; during the intervening period an agitation was got up, and the Watermen's Act of 1827 was repealed, so that bye-law 23, as it was originally published, had never been considered in reference to the Watermen's Amendment Act, which was passed in 1859.

3572. We then come to bye-law 44, what is the objection to that?—Bye-law 44 enacts that vessels for certain purposes are to be licensed, but in a bill introduced by Sir George Lewis, in July 1859, and again in the Conservancy Bill of the present session, authority was applied for from the legislature to enable the Conservancy Board to compel the licensing of these vessels; therefore it follows either that the Conservancy Board have not the power which they have assumed to exercise by that bye-law, or they are applying to the legislature for a confirmation of a power which they already hold.

3573. Is it to the illegality, or what you conceive a harsh object, of those bye-laws that you object?—Only to their illegality in reference to two of them, and the extreme illegality and disregard of public right of the bye-law 23 as it was originally published.

3574. I think you were summoned before a magistrate for an alleged infringement of these bye-laws?—We were, at least our lighterman was, twice. One man was summoned before the magistrates at Southwark, who, upon hearing the evidence, dismissed the summons. A short time subsequently another of our servants was summoned before Mr. Traill, the magistrate at Greenwich.

3575. Will you explain what the charge against you was?—It was for an infringement of bye-law 23.

3576. Do you mean the bye-law which prohibits the putting of soil into the river?—No; the summons was for employing, as a second hand in our lighters, a man who was not a freeman of the Watermen's Company.

3577. Mr. *Locke.*] Then it was for an infringement of clause 23?—Yes; bye-law 23, as originally published. We stated the case to Mr. Traill, but did not succeed in inducing him to dismiss the summons; he convicted us; we then appealed to the Court of Queen's Bench against the conviction; my particular object being to establish whether the bye-law was legal or illegal; the Judges, upon hearing the case, quashed the conviction; but they did not decide the point as to the legality of the bye-law.

3578. You were also summoned for throwing soil into the river, were you?—Four of our servants were summoned; the circumstances were these: we have a large well, which we use simply for supplying our boiler with water; the only inlet into this well, to my knowledge, is from the Thames. On one occasion we found the suction pipe from the engine did not draw; it was necessary to open the well and ascertain the cause; we did so, and found at the bottom of the well a large accumulation of river mud. Quite unconscious

unconscious of any infringement of the Act of Parliament, we told our men to pump the water of the well back into the river; we got a large pump for the purpose. During the time they were doing so, and when they had nearly got to the bottom of the well, and when the water was coming up, certainly very dirty, a police-boat happened to come by, and, hearing the noise of the water falling over the wharf, they landed and took the names of all the men concerned in it. Without any inquiry from the Conservancy Board, or any opportunity of explaining these circumstances, our four men were summoned to the Southwark Police Court; we attended, and, after a very long inquiry, the magistrate, feeling that it certainly was an infringement of the Act of Parliament, fined the men who were summoned 5*s.* a piece; the penalty being not exceeding 20*l.*, so that, on the four, the penalty would have been 80*l.* if it had been enforced.

3579. Are you under an impression that the Conservancy Board acted with a want of consideration in that proceeding?—I am. I think they acted with extreme harshness; because, had they sent down and made the least inquiry, I think we should have satisfied them that it was a case that was not necessary to be carried before a magistrate.

3580. Are you satisfied with the constitution of the Conservancy Board?—No.

3581. In what respect do you complain of it?—I think it should be formed into a representative Board, that is to say, those persons whose interests are immediately connected with the River Thames, should in some way or other be fairly represented on the Board.

3582. Have you ever considered any particular scheme for the re-formation of the Board?—I think the principle should be this, that all ratepayers on both banks of the river within the jurisdiction of the Conservancy Board, should have the power of voting towards nominees to that Board; but how they are to be practically elected, I think, is a matter of detail, which had better be left to the party who has the drawing up of the Act of Parliament, having before him the precedents and the arrangements in other outports.

3583. You are not prepared to recommend any plan in its details?—I am not.

3584. I think you took an active part in the promotion of the bill which was before Parliament in 1859, called the Watermen and Lightermen's Amendment Act?—I did.

3585. Will you explain what your reasons were for desiring the amendment of the old Act of Parliament?—The monopoly of the freemen of the Watermen's Company, which was destroyed by the Amendment Act of 1859, previously existed under an Act of 1827.

3586. What were the chief provisions of that Act?—The monopoly consisted, first, in this: none but freemen could own barges to be used in landing or shipping goods not absolutely their own property; secondly, none were admitted as freemen excepting those who had been apprenticed to a freeman for seven years between the ages of 14 and 18; then, thirdly, none but free men were entitled to work and navigate barges, and if they were unwilling to work you could not employ any one else; and, fourthly, in consequence of the restriction as to the number of apprentices, the supply of freemen was growing inadequate to the demand. It has been stated to the committee, that the result of the agitation in 1859 was to leave the question pretty well as we found it; that is not the fact; the fact is, the heads I have enumerated were the principal grievances existing under the Act of 1827, and the whole of those were removed under the Amendment Act of 1859.

3587. What have you substituted for those provisions?—The river now is entirely free, with some restrictions as to the licensing of men; any one can now own a lighter on the Thames, but that lighter must be navigated either by a licensed lighterman, or a duly qualified apprentice.

3588. In that respect, then, it is not free?—Not to that extent.

3589. If I am the owner of a barge which comes from the higher part of the river, navigated by my servants, I am not permitted to make use of their services when I get within the limits of the Watermen's Company; is that so?—I think I understood the Secretary of the Watermen's Company to say, that barges coming from beyond their jurisdiction were exempted from the compulsion of having a licensed lighterman on board.

3590. What is the history of the Act of 1859; there was a meeting of the wharfingers and traders interested in the Thames, I think, who recommended it?—First of all, the Royal Commission appointed to inquire into the state of the Corporation, recommended that the monopoly should be abolished; that was in 1853; then, in 1856, the Government introduced a Bill which contained a clause carrying out the recommendations of the Royal Commissioners; subsequently to that, nothing was done until the autumn of 1858.

3591. But what became of the Bill?—It was not proceeded with. In the autumn of 1858, many of us who were interested in this question, finding that the Government were powerless to deal with it, inasmuch as the Watermen's Company existed under a private Act, and therefore could only be re-modelled under another private Act, we formed ourselves into a committee, and drew up a Bill, which was deposited in the House of Commons.

3592. Was it introduced first into the House of Commons?—It was introduced first into the House of Commons, but by arrangement between the two Houses, it was referred to a committee, in the first instance, of the House of Lords. The Bill was commenced in committee on the 29th of March; on the 30th of March the Committee decided upon calling on the opponents of the Bill to show the necessity of keeping up their present monopoly.

3593. Before you go into that, will you state what the provisions of the Bill were?—Generally, the Bill proposed to place the goods traffic entirely free.

3594. That is to say, that anybody might convey goods on the river for hire?—Yes.

3595. The same as on land?—Precisely; and it provided that the passenger traffic should still continue under the control of the Watermen's Company.

3596. Was there any other important provision in the Bill?—No; that was the pith of the Bill.

3597. Then in what state was the Bill when it passed the House of Lords?—When it passed the first Committee of the House of Lords, it proposed

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proposed taking the whole of the regulation of the river out of the hands of the Watermen's Company, and placing it in the hands of the Conservancy Board, placing also the goods traffic, which the Bill, as introduced, exempted from any control, under the control of the Conservancy Board.

3598. In fact, it placed the regulation of the navigation of the River Thames, both in regard to goods and to passengers, under the Conservancy Board?—It did.

3599. Did the Bill pass in that shape?—On the Bill being reported to the House of Lords, the Watermen's Company, our opponents, presented a petition against the decision of the Committee, stating that they had not been properly heard. Lord Campbell presented the petition, and expressed his intention to have referred the Bill back to the Committee with the petition of our opponents, but in consequence of one or two members of the Committee stating in the House of Lords that their opinion was already formed upon the question, and that it was useless to send the Bill back to them, Lord Campbell stated that he had no alternative but to ask their Lordships to send the Bill to a new Committee; that was on the 12th of April. Parliament was dissolved, a second Committee was nominated, and we did not appear before that second Committee until the 24th of June, thus losing two months.

3600. Were any material alterations made in the Bill by that Committee?—The second Committee did not pass the preamble of the Bill in the shape that the first Committee did. The first Committee passed this preamble, "And whereas it is expedient that such exclusive privileges should be abolished, and that proper regulations should be made for passengers passing to and fro, and traffic, and for the orderly conduct of such traffic on the river." The second Committee altered the preamble of the Bill, and they said "Whereas it is expedient that the limits of the said Act should be altered, and such exclusive privileges should be modified, and that proper regulations should be made for the navigation of barges, lighters, boats, and other like craft, carrying goods, wares, and merchandise, within the limits of the Act, and for the regulation of the persons employed to navigate the same."

3601. Are you of opinion that the powers given by the Act of Parliament to the Watermen's Company are necessary to secure the safe navigation of the River Thames?—I think that the passenger traffic should be very strictly regulated, and, I think, as regards the goods traffic also it may be desirable that men who navigate lighters, should hold a license.

3602. Would you give the power of control to the Watermen's Company, or to a Conservancy Board?—I think that it must be quite unnecessary for the further continuance of the two Boards, if you take up the bye-laws of the Watermen's Company, and the bye-laws of the Thames Conservancy, you will find in the one, 115 bye-laws, and in the other, 55, making together 170 bye-laws, all of which are set out, as being more or less connected with the navigation of the river. I cannot think that it is necessary to have two jurisdictions to carry out the same purpose.

3603. Then, would you rather transfer those powers from the Waterman's Company to the Conservancy Board, or transfer the powers affecting the navigation, which are now held by the Conservancy Board, to the Waterman's Company?—If, as I hope will result from this inquiry, there is a new Conservancy Board formed, unquestionably I should merge in the jurisdiction of that Board the legislative powers, held by the Waterman's Company, separated, I should say, from the charitable purposes of the Act of Parliament.

3604. Would you propose to amend the Act which constitutes the Conservancy Board?—I think that is the only way in which the question can be dealt with, because the Conservancy Act contains a proviso, that if the Act of Parliament of 1857 is repealed the agreement between the Crown and the Corporation of London, would fall to the ground.

3605. Would you propose to alter the Conservancy Board by adding to the number, or by entirely changing its composition?—I would do one of two things; I would either entirely change its character, or I would very much enlarge the number of the members of the Board. The Bill that was introduced by the Government in the year 1856, contemplated the formation of a Conservancy Board, which was of quite a different character.

3606. That was to consist of a body of nominees, was it not?—No, I think not; I will read it: Government proposed that, "The Lord Mayor for the time being, the First Commissioner for the time being for executing the office of Lord High Admiral, the President for the time being of the Committee of Council, appointed for the consideration of matters relating to Trade and Foreign Plantations, such one of the Commissioners, for the time being, of Her Majesty's Woods, Forests, and Land Revenues, as the Commissioners of Her Majesty's Treasury shall from time to time appoint for this purpose; and the Deputy Master, for the time being, of the Corporation of the Trinity House of Deptford Strond, shall be, and be styled, 'The Conservators of the River Thames and Port of London,' and shall by that name be a body corporate, and have perpetual succession, and a common seal, and sue and be sued, and have power and authority, without any license in mortmain, to take, purchase, and hold land for the purposes of this Act." That is a clause from a Bill introduced by the Government in 1856.

3607. Is that a constitution which you are prepared to recommend?—No; I think it would not be altogether satisfactory. I certainly should prefer a representative Board. I have little experience in these matters to guide me, but it has been given in evidence before this Committee, that matters of a similar character are regulated by such a Board in the other outports, and the system is found to work well.

3608. Do you think that if a system of representation had been adopted, the harshness you complain of in your own instance would not have occurred?—I feel quite satisfied upon that point.

3609. Do you think that a Representative Board would give more general satisfaction to the parties interested in the Thames?—Unquestionably.

3610. Are you of opinion that such a system of representation would be generally acceptable to those who, like yourself, are interested in the traffic of the river?—All with whom I have been brought in contact, and before whom the question has been mentioned, are quite agreed upon that point.

3611. Mr. Alderman *Salomons.*] Do you think if

if the present Board had conducted their affairs upon the principle being an open court it would have given satisfaction?—I do not think that alone would have done it. I think the basis of the present Conservancy Board is not sufficiently enlarged; if you take up the Act of Parliament and read it through, you will find that it is only an arrangement between the Crown and the Corporation of London; the public are altogether excluded. The public in two or three instances are incidentally alluded to, but the arrangement is between the Crown and the Corporation of London; on our side of the water, for instance, the Surrey side, we are not in any way represented. I have no interest in the Corporation of London.

3612. With regard to the formation of a new Board, you said something about ratepayers in certain districts; what is your proposition as to that?—The Conservancy Board have a very extensive jurisdiction; it is limited by Act of Parliament; it necessarily runs between two banks of the river. I think that all parties owning property on both of those banks should in some way have a voice on the Board.

3613. I think you suggested to the Right Honorable Chairman that all ratepayers should form the basis of this new electoral body; would they be only ratepayers of wharves?—No; I take it that every party who owns property or land on the banks of the river is a ratepayer, in some sense; he must pay parochial rates.

3614. But should they be owners or occupiers of wharves, I suppose you would not give a vote to a person in the street, not on the banks of the river?—No; he must have a waterside frontage.

3615. You mean, then, that the owners or occupiers of the waterside frontages should be the parties who should compose this new electoral body?—Yes; they, in conjunction with any other section of the mercantile community, who could prove that they had an equal claim.

3616. With regard to the navigation of the river, as regards the men who navigate boats and barges, would you desire that it should be entirely free?—Except, as regards the license, I think it should be entirely free.

3617. What I meant to ask was this, should nothing but an examination and a license be the qualification for a man to be a lighterman or a wherryman?—I am not speaking as regards the passenger traffic; I wish to confine my remarks entirely to the goods traffic. I am not conversant with the passenger traffic of the river; the two are quite distinct. A man who rows a wherry is not necessarily a man that can manage a barge.

3618. But cannot a man who can manage a barge, manage a boat?—No; I don't think that would follow; and in the one case the man is entrusted with that which has only a money value, and in the other he is entrusted with life.

3619. Have the Watermen's Company two distinct regulations, one for barges and the other for boats?—Yes; one has a waterman's license and the other a lighterman's license.

3620. It is not necessary then to a lighterman to be a boatman?—No.

3621. As to the steamboats, would you have a license for the steamboats from the Conservators?—That I cannot offer an opinion on.

3622. Do you think that the Board of Conservancy should be the authority to have the general control of the river?—Certainly.

3623. And that it should be entirely one body?—Yes.

3624. Who should divide amongst them the several functions necessary to control the navigation of the river?—Yes.

3625. Mr. *Longfield.*] What individual cases of hardship or improper conduct on the part of the Conservators have come within your knowledge?—I have alluded particularly to the instances when our own servants were summoned for unconsciously infringing the Act of Parliament.

3626. And the magistrate fined them?—Yes; he fined them 5*s.* instead of 20*l.*; if it had not been for my desire not to waste the time of the Committee, I might have mentioned that the conviction depended upon this very nice point; four of our servants were summoned; against them were two police-constables. The police-constables swore that they saw our servants taking the mud out of the well, up by buckets, and throwing it out of the buckets into the river; the men swore (at least, they could not swear, because they were all summoned, but they were prepared to swear, and I believe it was the fact), that nothing went into the river but what passed through the large pump.

3627. Sir *John Hanmer.*] The magistrate, you say, could have fined them 80*l.*, but only fined them 5*s.* each?—Yes.

3628. Mr. *Longfield.*] That was not so much the act of the Conservators as the act of the police?—It was so much the act of the Conservancy Board, that, had they, to whom I presume the matter had been reported, taken the trouble to make a preliminary inquiry into the circumstances, I feel assured they would not have sent us to the police-court.

3629. However, as the magistrate believed the police, he thought an offence had been committed?—There was no doubt as to the offence; the Act of Parliament says expressly that no dirt shall be sent into the river, and our servants did it; it is true that it came from the river, and we were only throwing it back.

3630. The Act of Parliament contemplates an offence which may be a serious one, or may be very trifling; is that so?—Yes.

3631. In that case it was trifling?—Very.

3632. Have any other cases of impropriety on the part of the Conservancy Board come to your knowledge?—There is the instance to which I have alluded, of publishing the 23d bye-law, as originally worded.

3633. Your objection to that is that they have not power to order a vessel to unmoor?—No, my complaint was that the Watermen's Amendment Act came into operation on the 1st of January 1860, the Conservancy Board, for the first time, published their bye-laws, under their Act of 1857, in February 1860, and had that particular bye-law been enforced, it would have rendered the Watermen's Amendment Act of 1859 entirely worthless as regards the employing men upon barges, as second and third hands, who might not be Freemen of the Watermen's Company.

3634. Then as to bye-law 16, you say that was illegal?—I alluded to bye-laws 16 and 44, because I believed they are not in strict conformity with the Act of Parliament. I am not aware of any inconvenience having arisen under them.

3635. The judge, whose duty it was to see that the bye-laws were in accordance with the Act of Parliament, differs with you in opinion, and sanctioned

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tioned them, did he not?—Yes; but his lordship approved the bye-laws, upon what I may term an "ex parte" statement. The public had no opportunity of criticising the bye-laws before his lordship confirmed them.

3636. You say that the 16th bye-law is illegal, because it gives power to the harbour-master to remove vessels moored?—Yes, in some cases.

3637. What is the meaning of the in-shore passage in bye-law 16?—I scarcely know.

3638. Does it mean the passage between high and low water?—I should think it would mean, if there were any vessels moored off from a wharf, for instance, and there was a passage between, and another vessel was to come up for the purpose of landing goods at that wharf, she would necessarily obstruct the passage outside of her.

3639. But you think that is contrary to section 80?—Yes; and I would point out that the proviso of clause 80 was not in the Bill as it was originally introduced in the House of Commons in 1857. It was added for some particular object.

3640. However, you have stated very candidly that you know of no inconvenience resulting from these bye-laws?—No; and that is another point; these bye-laws, although they are published, are not enforced by the Conservancy Board.

3641. They are not rigidly enforced, I believe?—They are not enforced at all.

3642. None of them?—For instance, under bye-law 16, I have heard of some of my neighbours having intimation that they will not be allowed to have in front of their property more than a certain number of vessels; but beyond that no action has been taken.

3643. Are they used merely *in terrorem*, to be obeyed if the parties like, or disobeyed if they choose; are they not enforced?—I think not.

3644. Then if they are not enforced there is no grievance?—Yes; I contend that there is, because you may have certain men who like to regulate their conduct in accordance with what they believe to be the law, and if you have another set of men who do not do that, it is a grievance to those who do.

3645. Can you tell us, the Committee, any other way in which the Conservancy Board have acted improperly, saving the prosecutions you have mentioned, and in putting out bye-laws which they do not enforce?—Not of my own knowledge; with reference to the piers which have been so largely complained of, so far as I understand the question, the Conservancy Board have acted arbitrarily; whether they have been justified by the Act of Parliament or not, I cannot say; whether the parties who complain have any legal right to complain of them I cannot say; but unquestionably Vice-Chancellor Wood stated that the property had been seriously injured.

3646. That is the private property?—I think no one can look at it without coming to the same conclusion; it appears that originally there were various small piers running out from that particular locality, and the Conservancy Board put in front of them a very much larger, more useful and better structure, but the practical effect of it is to render what is behind useless.

3647. Then the acts of the Conservators have resulted in a great benefit to the public, and an injury to private individuals who are effected by it?—Both.

3648. But in this particular instance, as to the piers?—The construction of these piers, no doubt, is of great public advantage; whether that advantage might have been obtained in any other way, I am not prepared to say.

3649. Are you aware of the navigation of the river being greatly improved under the Conservancy Board?—I have not much practical knowledge of the navigation of the river, but I am told that the navigation below bridge has been very much improved.

3650. Do you not consider that the navigation above and below bridge is very much connected?—Entirely one, I can see no difference; no doubt the more important part is below bridge.

3651. Are you concerned above or below bridge?—Below bridge.

3652. But you conceive that the navigation is one in point of fact?—I can see no reason why there should be any division; the Conservancy Board have a defined jurisdiction, and the whole of it should be considered of equal importance.

3653. Would you give the shipping interest any voice in the election of a member to the Board?—If you give every class who are equally interested a voice, I would do so certainly.

3654. Would you pay the members of the Board?—That is a point upon which I can scarcely offer an opinion of any value; if the practice is not to pay them in other places, I cannot see any reason why they should be paid in London. It would be a question if the Board generally are not paid, whether the chairman and the deputy chairman should receive a salary.

3655. Do you know anything of the ballasting?—Nothing.

3656. Do you think it would be practicable to vest the management of the entire of the Thames, from its source to its mouth, in one Board?—I can see no reason why you should go beyond the limits already laid down by Parliament; when the Watermen's Act was before the Legislature, they curtailed the limits, I should adopt the same limits as are now laid down by Act of Parliament.

3657. What number would you have the Board consist of?—I think 30 would be a very good number.

3658. Would not that be rather an unmanageable Board in point of number?—In the Mersey, it is 28; if that number is found to work well there, I do not see why 30 should not work well in London; originally I think the number was 24 in the Mersey, and it was increased to 28; that would look as if the number was no difficulty.

3659. You would divide them, I suppose, into committees for work?—Yes, with one general Board as a court of appeal; I think that is a great point that there should be some body to whom you could appeal.

3660. Would you not also have from the Board itself?—To whom.

3661. Say to the Court of Queen's Bench?—Any one can appeal to the Court of Queen's Bench, if the Board act in opposition to the Act of Parliament. I certainly think that the Act should provide that before any bye-laws are put forth as bye-laws all parties interested should have an opportunity of criticising them.

3662. *Chairman.*] Would you give an appeal to the Court of Admiralty or the Board of Trade, if you gave it to either?—To the Board of Trade, unquestionably.

3663. Mr. *Longfield.*] Then you would have a necessary appeal to the Board of Trade?—If it was given to any, I think it should be to the Board of Trade.

3664. Do

3664. Do not you consider an appeal desirable in preference to bringing an action at law?—Yes, but I think, if you had a properly constituted Board, there would be no occasion for an appeal. Generally speaking the parties would be satisfied.

3665. Mr. *Cave.*] Does not the in-shore passage referred to in Bye-law 16 refer to a creek running up from the river?—No; I should think not. I should think it must mean between vessels moored off the banks, and the banks.

3666. Then how do you explain the word "ferry," which occurs?—I take a ferry to be a passage running across the river from one bank to another.

3667. Then, that would not be a place where the Commissioners of Customs would allow a vessel to lie?—Certainly not.

3668. Then possibly this may be in accordance with the 80th Clause of the Act?—I cannot think that it is.

3669. I suppose the judge has the Act of Parliament before him when he sanctioned the bye-law?—I suppose so.

3670. Mr. *Locke.*] Will you explain what is the case you object to, where they insisted upon a vessel being removed?—I have not heard of any vessel being actually removed.

3671. Have they removed vessels lying alongside of the wharves?—No; I have no knowledge of their having done anything of the kind.

3672. Then are these the words that you object to. The 16th bye-law is this: "That no vessel shall be moored upon the banks or shore of the river so as to prevent the free transit of any other vessel; and it shall be lawful for the harbour-master forthwith to unmoor and remove any vessel so placed or moored." Are the words "on the banks or shore of the river," that part of the bye-law to which you object?—Yes. In the original clause in the Act of Parliament there is a proviso that the harbour-master shall not remove vessels under certain conditions. That proviso is entirely lost sight of in the bye-law as published.

3673. By what part of the bye-law was it lost sight of?—Probably they must in some way have qualified those instructions.

3674. Do you consider these words in the bye-law, in accordance with the 80th Section of the Act of Parliament, "or on the banks or shore of the river so as to prevent the free transit of any other vessel." Do you consider when the Custom House have given their sanction to vessels being placed by the side of a wharf, although they may interfere with the transit of other vessels, still, does not the fact of the Customs permitting them to be placed there, prevent the harbour-master from removing them?—I think that is under the 80th Section of the Act of Parliament.

3675. Then, are not these the words which you consider exceed the power given to the Conservators to make bye-laws, namely, "or on the banks or shores of the river?"—Yes; I have them underlined here.

3676. My friend asked you with respect to the in-shore passage or ferry. What do you define the in-shore passage to be?—I think it must be between a tier of vessels, or a single vessel outside, and a bank.

3677. That is a tier of vessels lying in the river, between that and what?—Between that and the bank; the wharf frontage in fact, or the wharf wall.

3678. The words of the Act of Parliament are these: "Provided always that it shall not be lawful for such harbour-master to direct any vessel to lie or to be within any part of the River Thames nor to unmoor or remove from any part of the River Thames duly appointed as a boarding, landing, or quarantine station, any vessel moored or placed there under the authority of the Commissioners of the Customs." Are those vessels which are placed alongside the wharves, placed there under the authority of the Commissioners of Customs?—Yes, they are.

3679. Then, you say that vessels placed by the side of a wharf are excepted, that they cannot be removed by the harbour-master, if they have the sanction of the Commissioners of Customs to be placed there?—I do.

3680. I suppose the landing referred to here, means a landing from a vessel by the side of a quay and wharf?—Yes.

3681. Then, if the Commissioners of Customs had sanctioned a vessel coming up to land, whatever interference that would create with vessels coming along the river, is it your contention that, therefore, the harbour-master has no right to remove them?—Yes.

3682. Do I understand your contention to be, under the 80th Section of the Act of Parliament, that that bye-law has no business to insist that the harbour-master shall remove any vessel whatever on the banks or shore of the river, although it might be placed there so as to prevent the free transit of any other vessel?—Yes; and I think that you have just put a meaning upon those four words that had not previously struck me. The effect of that would be to make the frontage of a sufferance-wharf more sacred than I had supposed. It simply provides that the harbour-master should not come and lay a vessel in front of my premises.

3683. Sir *John Hanmer.*] You complain that that bye-law is in excess of the Act of Parliament?—Yes.

3684. Mr. *Longfield.*] Does not the word "moored" imply that vessels moored at low water-mark should be taken away?—No; the clause provides that the harbour-master shall not, of his free will, moor vessels in front of wharves and quays under the regulations of the Customs.

3685. In all other places, have not the harbour-masters unlimited powers?—In other places, perhaps, but not in this particular place.

3686. Mr. *Locke.*] If a vessel is moored alongside your wharf, the Custom-house officer comes on board, does he not?—Yes.

3687. Then the service of the Customs is being performed on board your vessel?—Yes; a foreign vessel cannot come up to a sufferance-wharf to land goods without the sanction of the Customs. It is a locality specially licensed by the Custom House for the landing of foreign goods.

3688. Just the same as the Custom House itself?—Yes, the Custom House being the office where all the documents are passed.

3689. With regard to what has been said about these docks. If they were to get the sanction of Parliament, and were enabled to place a toll upon all barges or lighters coming into the docks, what effect would that have on the trade of London outside the docks?—The effect would be to prevent goods being taking away from the docks to be landed at other places, but the complaints of the dock companies directors on this point are perfectly childish. The docks were established under Acts of Parliament which expressly stipulated that the water inside those docks should be free, and therefore form part of the port of London,

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and that lighters should have free access into those waters and the right of taking goods out free of any charge whatever, and if the Legislature were to entertain any alteration of that distinctly expressed public right, I take it that it would repeal the clause in the Act of Parliament which stipulates that the water in the docks should form part of the port of London, and the practical effect of that would be that no vessels could go in there to discharge cargoes. Vessels come from abroad with cargoes to be discharged in the port of London, and it is simply because the dock-water is part of the port of London that they are at liberty to go in there. If I hold a bill of lading for a thousand bags of rice, for which my corespondent has agreed to pay freight at a certain rate per ton, and the vessel goes into water where I cannot follow her, except upon the payment of charges, it is clear I shall have to pay my rate of freight per ton, and something else before I can receive my goods.

3690. Suppose, instead of repealing that section of the several Dock Acts, for I presume it is the same in each, they were to empower them to levy a toll upon all barges going into the docks, what would be the effect of that upon water-side premises?—It would shut them up.

3691. Would it not create a monopoly in the docks?—Unquestionably.

3692. So that all goods must, of necessity, for the benefit of the owner, be warehoused in the dock warehouses to the exclusion of all the other warehouses on the river?—It would depend upon the amount, but that would be the tendency of it.

3693. Might they not then make what arrangements they pleased as to their own warehouse charges, what they pleased as a toll on barges coming in, so that it would be nobody's interest to send a barge in to take goods out, and carry them to any other warehouse?—I cannot suppose that the Legislature could entertain any such alteration. This question was directly brought before Parliament some years since; I did not personally take part in the matter, so that I can only speak from report; but I am told, that on the Bill being read a second time in the House of Commons, there was a division and a majority of 200 or 300 against the second reading, and principally upon this very question: Whether the dock companies, as great monopolists, should have the power of taxing lighters that go into the dock to take away goods, which goods are carried into the dock without the consent of the owners.

3694. Will you explain what you mean by being carried into the dock without the consent of the owners?—A vessel comes into the port of London, with cargo consigned to various houses, perhaps, 50 or 60 different houses. These consignees are not asked where their goods shall be taken. The owner of the vessel takes his vessel into whatever dock he pleases; but he does so now upon the stipulation that the water inside the dock is free, and the owner of the goods knows that he can follow the ship into dock, and get his goods without any expense, the same as if she discharged her cargo in the river.

3695. And take his goods where he pleases?—Of course.

3696. Supposing the docks were enabled to make these regulations, would the consignee be deprived of the advantage of having his goods taken by a lighter to any place he wished, straight out of the ship; and would they not of necessity be put upon the quay of the dock and placed in their warehouses?—Yes, unless he chose to pay this tax, which would be so much out of his pocket.

3697. Mr. Alderman *Salomons.*] I suppose the moment the goods are landed on the quay of the dock, there is a wharfage or dockage due to pay, is there not?—No; the dock companies are, under the Act of last Session, authorised to put a ship's cargo on the dock quay, but the Act stipulates that if the owner of the goods has made application within a certain period, although the goods are put out of the ship on to the dock quay he shall receive his goods without any expense.

3698. Even in the dock?—Yes, That expense can only be recovered from the owner of the goods in such cases where he has not complied with certain stipulations in the Act of Parliament; that is, he must pass his entry, and make application within so many hours, viz., 72 hours, if no time is specified for delivery on the billt of lading. Then, if the ship is not ready to deliver in 72 hours, or at the time when the owner makes application for the delivery of his goods, the shipowner cannot subsequently land them at the consignee's expense, unless he has given to him 24 hours' notice in writing.

3699. Then, as the law now is, it is not necessary for the ship to discharge the goods into the lighter, but she may land the goods on the quay of the dock, and the lighter can get the goods from off the quay without any charge?—Yes, under the Act of last Session.

3700. Mr. *Locke.*] By the Act of last Session the time the consignee has for giving his notice is very much less than it was before, is it not?—Previously there was no undertaking of the kind with regard to giving the consignees notice. The Dock Company had a sort of general power that if the goods were not entered within 48 hours they might enter them; then, if the goods were not applied for within seven days, they might enter them, land them, and hold for charges.

3701. What is the rule now?—The rule now is, that if the time which is expressed in the bill of lading has expired, and the consignee has not applied for his goods within the time mentioned in the bill of lading, then the ship-owner may land, and the goods would be held for expenses. If no time is expressed in the bill of lading, which is the practice with bills of lading by all sailing vessels, then the consignee must enter and make application for delivery within 72 hours of the ship's reporting. If he does that, and also proceeds with all convenient speed to take delivery of the goods, then the shipowner cannot land, excepting at his own expense; he can land at his own expense, and if he does, then the Act of Parliament expressly states that the dock companies shall assort such goods on landing, and deliver them up to the consignee free of expense within 24 hours.

3702. Mr. *Longfield.*] I think your objection to bye-law 16 is substantially this: That it professed in its terms to authorise the harbour-master to remove vessels which were protected from removal by section 80; is that it?—Yes.

3703. Sir *John Hanmer.*] But you would not contend that any license of the Customs could block up the inshore water way, so that vessels could not get to my wharf, because they were lying opposite yours?—I take it that the Customs would not sanction any such thing.

3704. But, supposing they did, then this bye-law would enable the harbour-master to remove it,

it, or bear him harmless in doing so, would it not?—My objection is simply this, that the bye-law is not in accordance with the Act of Parliament; whether the Act of Parliament may require any alteration is not the point, the proviso which was added to the Act of Parliament when it was before the Legislation is entirely lost sight of.

3705. It professed to extend to all parties, including those licensed by the Commissioners of Customs?—Yes; I should have liked to have read before the Committee a correspondence which took place between the Southwark Foreign Sufferance Wharfingers' Association and the Thames Conservancy Board, with reference to Bye-law 23, and with the sanction of the Committee, I will hand it in as evidence.

3706. Have they repealed or altered that Bye-law 16?—No; the only one altered is Bye-law 23.

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Lunæ, 1° *die Junii* 1863.

MEMBERS PRESENT:

Mr. Blackburn.	Mr. Hutt.
Mr. Cave.	Mr. Lindsay.
Mr. William Cubitt.	Mr. Locke.
Mr. Joseph Ewart.	Mr. Longfield.
Sir John Hanmer.	Mr. Alderman Salomons.
Mr. Richard Hodgson.	Mr. Shafto.

THE RIGHT HONOURABLE WILLIAM HUTT, IN THE CHAIR.

Mr. JAMES FENNINGS; called in, and Examined.

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3707. *Chairman.*] YOU are, I believe, a wharfinger?—Yes.

3708. Where is your wharf?—It is situated at the Southwark side of London Bridge, in the Borough.

3709. Have you been long in possession of those premises?—Ever since they were built, in 1832.

3710. Are you a leaseholder?—Yes, a long leaseholder, 50 years; we had it from the time the bridge was built.

3711. Under whom do you hold your property?—Under a Mr. Wilson; but it is Corporation property; it belongs to the Bridge House Estates. He had a long lease; I think he had it for 90 years.

3712. Do you stand at heavy expenses for that property?—The rent is above 3,000 *l.* a-year, and the poor-rates and taxes are upwards of 500 *l.* a-year.

3713. The property is consequently very extensive?—It is; there are very large vaults as well as premises.

3714. Will you explain to the Committee the nature of your business?—The landing of goods generally from various ports, foreign ports; also from Ireland, Waterford, Cork, and various places. In fact, at one time, we had nearly the whole of the Irish trade, as also large quantities of colonial goods, and the shipping of goods as well; vessels coming alongside of various burdens, which would unload and then could go away; some of them would load there again before they leave.

3715. Sir *John Hanmer.*] Seagoing steamers?—Yes, to various places, Ireland principally, coastwise in Ireland; nearly all the foreign trade unload at the docks, and then we barge the goods up.

3716. *Chairman.*] You are, consequently, deeply interested in the judicious management of the river?—Yes, we are particularly so, as we are situated, for the free navigation. I and my brother have been wharfingers 35 years; originally we held a wharf down at St. Katharine's Docks, by the Tower, and there we came in contact with the old Navigation Committee. When we wanted a jetty or anything we had to apply to them, and they generally gave notice to the next-door neighbours whether they had any objection; and as far as possible, I believe, they consulted the interests of individuals and the public for the general navigation. And although that was a body not properly constituted, I consider, inasmuch as it consisted of the whole of the Corporation, now, as the Committee knows, it is partly the Corporation. There are seven members on it now, composed, no doubt, of gentlemen of high respectability in their callings, but who are not, I think, at all capable of conducting a river with such immense traffic from various parts of the world. For instance, one of the gentlemen, though a very respectable man, is a tea-dealer, occupied in the City, having nothing to do with the banks of the Thames. There is another, I believe, a tallow-chandler or Italian warehouseman. I am not speaking in disparagement of their trade, but, from their callings, I do not think they are competent. Then there is one a chemist; that gentleman himself, who has been made an alderman since, confessed to me that he did not know the head from the stern of a barge. I had to call upon him under the old Navigation, before this Act came into play, and that gentleman is still on the present Board. Then there is Mr. Alderman Humphrey: it might be presumed that he would be competent, because he is a brother wharfinger; but I will engage to say that my brother wharfingers do not consider that he represents them. He was not placed there to represent the wharfingers; I believe if he represents any one it is himself. Then there is Mr. Turnley: he is a lighterman, he ought to know the river; but he has retired from the lighterman's business for several years, and he does not represent the lightermen. Most of these gentlemen are connected with business in the City, quite away from the Thames; and the worst part of the matter is this, that if these gentlemen are not returned for their wards every year, then fresh gentlemen are appointed; and

and it may fall upon a baker, or a butcher, or a silversmith; and I name those three, for I had to call upon two of them respecting the navigation. I think, therefore, they cannot be the men who should be conducting or ruling over such a river as the River Thames; and I can mention to the Committee facts which will show the Committee that these gentlemen do not know the way in which they are acting. It is very different to what was laid down in the year 1841. There were complaints made then of piers and projections into the river. The Corporation went to an enormous expense, and (at the suggestion of the Admiralty, I believe) Admiral Bullock was employed, with others; and they gave in a report, a very lengthy one, in 1841.

3717. Is that Mr. Walker's report that you are alluding to?—It is Mr. Walker's line, and in that report it was laid down that there should be no projection beyond a certain line. The present Conservators had scarcely been in power for one twelvemonth when there was an order from this House to give a return of what they had been doing; and in their very first return, the Committee will find that there were 44 grants of jetties and projections into the river in 1859, they having come into office in 1857 I believe. Practical men will tell the Committee, I am sure, that that is most detrimental to the river. I speak more especially as to one which is situated below St. Katharine's Dock, called the Dublin Steam Wharf; that has been allowed to run out 89 feet. There is a sort of bridge thrown out, and when a steamer is lying at the end of that, it completely blocks up the inshore passage; the inshore passage is from the wharf or embankment to the tier of vessels lying in the stream. If a barge should attempt to go underneath that bridge at half-flood, loaded with hops or wool, they would be liable to be taken and carried off; or a man might be standing in the head-sheets of a barge, with a strong tide running, and he might be knocked overboard and drowned. Any lighterman or any practical person would tell the Committee, or the Committee might see for themselves, that, with a steamer lying there, it would be impossible to use the inshore passage, so that the barges must go outside.

3718. Sir *John Hanmer.*] Is this place you speak of beyond Walker's line?—Yes.

3719. Is the end of it further into the river?—Yes, several feet; the whole length of it, 89 feet: the return shows 38,000 square feet at that time taken out of the Thames. The Honourable Member for Southwark moved last February for a return, and that return, I should think, when it comes, will show 100,000 square feet, if they have been going on at the same ratio.

3720. *Chairman.*] Is that the return you speak of (handing it to the Witness)?—It is. Then lower down the river there is a pier called Millwall Pier. It is evident that these gentlemen, when they erected that pier, could not have known what they were about; because it is found to be so dangerous that several accidents have happened, and the Committee can have the parties here to prove that vessels and barges have run in there. One vessel or barge ran into a barge that was moored at the end of the pier, and sank the barge; and I am told (I do not know the fact), that Captain Burstal and their engineer, Mr. Leach, went down and examined it; and they reduced the pier something like 30 feet in consequence, so that now the barges, instead of lying outside, lie alongside; as to which the Committee asked some questions, and the witnesses said they knew nothing about it. There is another below this, called Mr. Cubitt's Pier. Numerous accidents have occurred there. One barge ran in there, and a lad was drowned; vessels are repeatedly going it there, and any pilot will state that it is a very objectionable place to put a pier in, in such a prominent part of the river.

3721. Although, in your opinion, these piers have not been very wisely constructed with regard to their extent, is it not the case that the river, generally, has been very much improved under the administration of the Board of Conservancy?—I do not consider so at all.

3722. Are you, upon the whole, not satisfied with the manner in which the Thames has been managed by the Board of Conservancy?—Decidedly not.

3723. Have you any particular grievance to lay before the Committee?—Yes, I have.

3724. Will you state it?—I wished, in the first instance, to take it up upon public grounds; that is the reason I have given those statements. Now I will give the Committee a view not only private, but public as well. In 1833 we took this wharf at the time London Bridge was opened; in taking that wharf we expected that we should have the right of way to get vessels in and out without any danger. Under the Act of George the Fourth London Bridge was built, and it stated in that Bill that it should be built in 180 feet straight line from the Old London Bridge west, and 110 feet to the east in a straight line; allowing, no doubt, for the embankment and for vessels and what not to come alongside these premises, that it should not be less than five arches of 692 feet; those plans were lodged in Guildhall; our wharf was built by Sir Robert Smirk, in compliance with the ground that was then laid out. Soon after we were there, in 1837 I think, the year after the fire, some watermen attempted to bring a pier and place it in that upper part: we did not object to that, because it did not interfere with the safety of our vessels or barges coming to the wharf; but it was found at that time so objectionable that the harbour-master, Captain Fisher, came up and removed it, and towed it away (the Committee will find that in the Minute Books), because he had orders at that time to do all he could to clear these projections into the river as being injurious. In 1850 they again placed a pier under this bridge; at this time they attempted to come to the lower side, that was our end; it was then removed by the Chairman of the Bridge House Estates, Mr. Low; he came down there, we had been several times to the Corporation about it, and he came down and had it removed. In 1855 the steamboat people, in conjunction with some watermen there, came and erected the pier, not on the upper side, but brought it through, as was pointed out there, for the safety of the public. I think I shall be able presently to show that it was only putting them into greater danger. But they placed a pier underneath the arch, so that people came up on our side and the other also. That was found so serious and dangerous, even to persons landing at the stairs, that we brought an action; it was the case of the Queen *v.* Hazlewood, the steamboat proprietor. It was tried; we had to go to Kingston. Baron Platt presided at the time, and he felt such interest in it that he actually came down to view the place and see the nature of it; and it is recorded in his summing-up that it was not only a private injury but a public nuisance.

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The parties were found guilty, and the pier was removed; that was in 1855. In 1857, it appears (I thought we were pretty well safe after all those difficulties), the present Conservancy got their Bill: and being a private Bill, no one knew, or I should have been on the lookout, and have endeavoured to get some clause inserted to protect ourselves; but we were all taken aback by it; scarcely any of the wharfingers or landed proprietors alongside the banks knew anything about it. The Bill passed, and in 1858 they commenced putting down this pier. I went for an injunction to the Vice-Chancellor Wood, and it was not, as Captain Sulivan stated, that they were quite right in what they were doing, but after the Vice-Chancellor had gone about half through the case, he said, "Well, before I give my decision, I must send this to a jury." I consulted my solicitor; he said, "Such is the public prejudice, you cannot well try it in London; it will cost you at least 700*l.* or 800*l.*, if not 1,000*l.*" I took my solicitor's advice; we thought it prudent not to go on with it, and therefore it has remained in that state. The Vice-Chancellor gave me a twelvemonth to do it. I did not do it, and I could not go to the Vice-Chancellor again, and it has gone on from that time to the present. Relative to the obstructions in the other arches as well as what I complain of, is that we took these premises under an Act of Parliament, where it is stated, there shall be such and such waterway, 130 feet; when by erecting this pier, I have seen it nearly blocked up; there is 30 feet of that pier, one vessel alone is 25 feet; but I have seen three there; it completely stops the navigation there, and not only that side, they have done the same on the City or north side of the bridge; other parties will speak about that making three arches out of the five virtually interfered with and blocked up; when the old bridge was removed for the better navigation and safety of life.

3725. Do you think the alteration has been injurious to your business, and that it has diminished the value of your wharf?—We are sometimes obliged to have 10 or 12 men to get a craft in, when one lighterman could do it; for if a barge comes up at flood tide, it takes 8 or 10 men and a crane besides to put her into her berth, besides the danger of getting her bow or stern upon it, and so taking her right round the bridge: a barge was sunk there, fortunately an empty one; the captain saw it about four o'clock in the morning; it took him and about 20 men to get it clear; if she had been loaded with sugar or coffee, it would have been the same; we should have no redress.

3726. Has not the construction of this pier, however inconvenient and injurious to you, been of service to the public?—That has been the great struggle all through; they have stated that it saves the crossing; they have the privilege of going up the two stairs, one side as well as the other: now, on landing on our side, they have to go down to a most dangerous point, Duke-street; there is a public-house there, Wallis's, and in crossing there, there are wagons and carts coming down; it is an inclined plane, and is a most dangerous thing. Then, again, to go to the Crystal Palace, they actually have a second crossing to take—the very place where Mr. Jeremiah Pilcher's brother was killed; if they went down the Borough, they might cross over by the top of the cab-stand comparatively easily. I can show the Committee a plan of the place (*opening it and pointing out the spot to the Committee*).

3727. Then I understand you were deterred from proceeding in your suit not from any doubts of the justice of your case, but from prudential and financial considerations?—Nothing else; because I had been through the very same thing before. I regretted that it had not been stated to the Vice-Chancellor at the time that already I had been before a jury, and already incurred a very heavy expense, and I think, if he had known that, he would not have subjected me to the same ordeal; nothing but that stopped me. In the new Act of 1857 it states (Clause 169) that the Conservators shall not interfere with any works done under any Act of Parliament; now I maintain that London Bridge was built under an Act of Parliament, and we are within the line of that Act of Parliament; surely, they have no right to go and put down a stoppage which might be most detrimental to us.

3728. Before you involved yourself in the trouble and expense of this litigation, did you attempt any private negotiation with the Conservators?—Yes; we went down to the Conservancy Office, and took Mr. Venning, but they would not allow my solicitor to go in. I went in and remonstrated with them; but I must tell the Committee they have done things very arbitrarily indeed till of late date; though I remonstrated with them, and showed them that what they had done had already been removed by a jury. They took no notice of it, and that has been the case, more or less, with the exception of the last few months, when they knew that this inquiry was going on, and then they sent me a letter to know if I should object to any moorings laid down by Mr. Scovell, you may say a mile off, which could not interfere with me. If they had listened to reason at the time, they would have saved me an enormous expense; but I could not get them to view it, and throughout I do not think the gentlemen comprehended the nature of the danger attending what they were doing.

3729. Do you think if the Board had been constituted on a more popular principle you might have been spared all this trouble?—No doubt of it. I have been asked as to their general management. There is a good deal of evidence before the Committee as to the sections of the river for colliers. They were made in 1837 and 1838, you will find by the Minute Book of the harbour-master of that date, Captain Fisher had two assistant harbour-masters, and the steamboat which they employed weekly for a short time, and they laid out all the sections, and they even had a house at Gravesend for him to carry it out. That was not done by the present Conservators; and as to the shoals, they may have taken up one or two shoals, but Captain Fisher had removed three before they came into power, and they were blown up with gunpowder; that was the way he generally did it. I cannot say in what way they, the present Conservators, have been beneficial to the river; I think they have been very injurious; I cannot see in what shape or way they have done good to the river Thames.

3730. Would you be more satisfied if this Board were framed on an elective principle?—Decidedly; and I think that those who pay the taxes and rates, and own landed property on the banks of the Thames, where they are interested, should be rated.

3731. That is your wish and desire, is it?—It is so; and I believe I am speaking the views of my

my brother wharfingers in saying that those who pay the rates and taxes should be fairly represented.

3732. That you understand to be the general feeling of the wharfingers on the river?—Yes; what we think is, that the Admiralty, the Board of Trade, and the Trinity House, inasmuch as they have the lighterage and beaconage, should have a voice in the matter; that they, together with the shipowners, dock proprietors, wharfingers, and lightermen, and all who are interested in the navigation of the river, in keeping it in order.

3733. The shipowners contribute directly to the Conservancy fund, do they not?—They do.

3734. And the wharfingers do not?—No.

3735. Do you propose that they should be returned to the Conservancy fund?—Certainly, if they are to be represented.

3736. It has been objected to the wharfingers forming part of the constituent body, that, inasmuch as the Conservancy Board would be invested with some duties of police, the wharfingers themselves might be the subject of restraint and control, and that therefore they might not be impartial in their judgment, does that occur to you as an objection?—I cannot see, in any way, how it would interfere, because it would only be one of an immense body.

3737. Does not the objection apply equally to the shipowners?—I think so, and to all the others except the Government.

3738. What system of representation are you disposed to recommend as satisfactory to the persons interested in the welfare of the river?—I should think it would be best to form a body of gentlemen taken from the various parties I have enumerated; no doubt they would appoint a committee among them to do the working part, and then, should there be any complaints, there would be a court to appeal to, which at present there is not, there is nothing now unless you go to law direct.

3739. Mr. Alderman *Salomons.*] With regard to a representative body, do you mean to say that you would leave the Conservancy as it now is, only adding some persons to represent the shipowners, the wharfingers, and the dock proprietors?—No; as far as regards the Government, I think the Admiralty, the Board of Trade, and the Trinity House ought to be represented; but as regards the Corporation of London, I think the seven members who, as I have stated, cannot know anything of the wants and requirements of the Thames, might be dispensed with; you might retain the Lord Mayor, but I certainly should not allow any others.

3740. Then you do not think that any enlargement of the present Board would answer the purpose?—No; I think not. I do not see the utility of having seven members of the Corporation, and those members gentlemen who are not at all connected with this particular line of business, or acquainted with the navigation of the Thames.

3741. If the duty of the Conservators is to be enlarged, would you not require a larger number of persons to attend to it?—I have drawn up a scheme of representation; perhaps the Committee may think it presumption on my part to have done so.

3742. *Chairman.*] Will you read it?—I have not consulted anyone upon it, and I daresay I may have left out parts which should be comprised in it. I think that those who pay rates and taxes should be represented for that for which they pay; I think the Government should be represented by the Admiralty, the Board of Trade, and the Trinity House; that the Corporation should be represented by the Lord Mayor; that the landed proprietors on the banks of the Thames should be represented, although they may not have property, they have the privilege of the highway, and their property may come in at some time or other. I do not think they ought to be reckoned as wharfingers, but in proportion to their frontage. Then the dock proprietors on the north side and the dock proprietors on the south side, the wharfingers on the north side and the wharfingers on the south side, being foreign sufferance wharfs, all coming under the Custom House regulations; the shipowners, the lightermen, the Waterman and Lighterman's Company; the Metropolitan Board of Works, I think, ought to be represented, because they are obliged to go to the Conservators in carrying on all their works, embankments, and so on; the Board of Health and the members of the counties, through which the Board of Conservators have jurisdiction.

3743. Mr. Alderman *Salomons.*] Then your scheme would be to have a large electoral body?—Yes; and a Court to appeal to, which you have not at present.

3744. Mr. *Locke.*] Would you put the members in counties on *ex officio*?—Yes.

3745. Mr. Alderman *Salomons.*] How many would the Board consist of?—I have not counted them.

3746. It would be a numerous body, at all events?—I should think it would; something like they have in Liverpool, which, I believe, is 28.

3747. You want to introduce upon this body, if I understand you, those persons who have direct connexion with the river?—Yes; I think that, beyond the Lord Mayor, the Corporation ought not to be represented.

3748. Why would you shut out the Common Councilmen, who may know something about the river, and put in the representatives of the counties, who know nothing whatever about it?—It is well known that the Common Councilmen know nothing about the river; as to the others, I cannot say much about them.

3749. Perhaps you will tell the Committee who the members of the Common Council are who are on the Conservancy Board?—There is Mr. Fry, the tea-broker, a gentleman of high respectability, no doubt. As I said before, I do not mean to depreciate his calling. There is Mr. Alderman Hale. I believe he is in the tallow trade, or keeps an Italian shop.

3750. Has he nothing to do with the waterside?—No. Then there is Mr. Thorpe, the Deputy Chairman. I believe he was something in the paper way, or else in the bottling of wine, or something of that sort.

3751. How many years has Mr. Thorpe been connected with the navigation of the river?—For several years; but there is the great evil with having representative Common Councilmen, that, if they are not returned for their ward every year, they go out, and then you get another member on the Board, who may know nothing about the matter.

3752. How many years has Mr. Thorpe's name been connected with that body?—I believe he was connected with the Old Navigation Committee.

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3753. But for how long a period, five years or ten, or what period?—For 20, I should think.

3754. Do not you think that if a man has been connected with the navigation of the river for 20 years he must know something about it?—No doubt he has picked up a little knowledge, but that is not the point; next year he may not be returned, and you may get in his place a person without any experience at all.

3755. Is it not a fact that they have returned one man at all events who must know something about the river?—Yes; but there is Mr. Alderman Dakin who confessed to me, some years ago, that he did not know the head of a barge from the stern.

3756. He is not on the Board now, is he?—He was on it for a number of years.

3757. You admit that Mr. Thorpe has been there for a great number of years, and that he knows something about it, from having been there so long?—He ought to do so: but from the way in which he has been acting since he has been on the Conservancy Board, I think he must know very little about it, or he would never have gone to such excesses in departing from the line laid down by the Admiralty.

3758. Do you mean, then, that he is only an offender in common with the others?—I think it is from want of judgment; he really does not know, and you cannot put it into a man; his calling is not of that nature that would enable him to know the requirements of the Thames.

3759. Besides Mr. Thorpe, who is there?—There is Mr. Alderman Humphery.

3760. You do not mean to say that he knows nothing about it, do you?—I can only say this, speaking for my brother wharfingers, that he does not represent them. As I said before, if he represents anyone, it is himself.

3761. He is a large wharfinger, is he not?—He is, and he ought to know something about it; but I am sorry to say that he does not represent the wharfingers or their interests.

3762. Suppose that you had a representative system, would it not be very likely that some wharfinger should be appointed?—If he was a representative man, he would not stand in the same position as Mr. Alderman Humphery does. He is placed above me, and it is no use my going to him upon any subject; but if he was my representative, I should be able to go to him, and he would be bound to listen to me.

3763. But surely Mr. Thorpe ought to know something about it, and Alderman Humphery, as a wharfinger, ought to know something about it, ought he not?—He should do so, no doubt.

3764. Who are the other gentlemen on the Board?—There is Mr. Turnley.

3765. Is he not a lighterman?—He was a lighterman, but I believe he does not represent the lightermen at all. He has given up being connected with the waterside for a long time; I believe he is generally to be found at the West End or at Guildhall; he does not attend to the waterside. I should say, though, that he must know the requirements of the Thames; he ought to do so as a lighterman, because I rather think he served his time to it.

3766. Then, at any rate, the representatives of the Corporation are not so very incompetent?—With some few exceptions I think they are; there is Mr. Thorpe, who has some experience certainly.

3767. Do you not think that a Board so composed, with a fresh infusion of knowledge of the river, might form a very useful Board?—But I do not see why you should have these useless persons there at all. I consider that the Common Councilmen do not themselves represent anyone excepting the Corporation of the City of London; and if you have the Lord Mayor to represent the Corporation, I think that is quite sufficient. I think so many as we have now are only in the way. Suppose, for instance, at the next election of Common Councilmen the person who is now on the Conservancy Board is not returned: you may then have a butcher, a baker, or a silversmith sent there; and this is not an imaginary case, for I actually had to apply to the last-named two (a baker and a silversmith) to consult with them relative to the navigation, and to point out the danger; therefore, if you have them one year, you do not know who you are going to have the next.

3768. Do you not think that the Corporation, when they appoint persons on the Conservancy Board, take into account that they shall be persons who will attend to their business, and who know something of the river?—I cannot think so if they appoint such a man as Mr. Alderman Dakin, who tells me that he does not know the stern of a barge from the head.

3769. That is only one instance, is it?—Then there is Mr. Fry, a tea-broker, in Cannon-street: what can he know about it? I believe, if you asked him, he would tell you that he did not know anything about it.

3770. Do you think that even by your system of election you are quite certain to always have a man who is a waterside man?—No; but I should think it would be very ridiculous if, in appointing such a person, they did not fix upon a man who was willing to serve, and who was a person well known to have experience of the river and its banks.

3771. Then you think, if there is to be any alteration, the Conservancy ought to be remodelled, and none of the old leaven of the Corporation left in it?—As I said before, I think they should have the Lord Mayor to represent them.

3772. As to the complaint about putting this pier down at the stairs close to your wharf, do you consider that you have been injured by it?—Very seriously so: and to show the arbitrary way in which the Conservators act, although they go and erect this pier out 30 feet in front of the arch, virtually blocking it up and making it dangerous to the public as well as injurious to us, they have given me a notice that I shall not lay more than two vessels alongside my wharf within 60 feet of the bridge.

3773. Who was that notice from?—From the harbour-master; it is dated, "Principal Harbour-master's Office, St. Katharine's."

3774. And who is it signed by?—By C. H. James, Principal Harbour-master: "Sir—My attention has been called to the vessels lying at or opposite your premises, known as Fenning's Wharf, London Bridge, by which the navigation of the river is much impeded, from the number of vessels lying at one and the same time at the upper end thereof; and I have to request you will cause my directions to be carried out, and that you will not permit any more than two vessels to be placed within 60 feet of the upper end, in order that the inshore passage may not be impeded. In order that you may fully understand the authority under which I feel it necessary to cause this regulation to be adhered to, I refer you to the clauses in the Act of Parliament,

ment, 10th Geo. 4, cap. 124, sec. 5 & 9 (by which the harbour-masters are empowered to act), and the Thames Conservancy Act 1857."

3775. Does your wharf come down to the stairs?—It is in a line with the bottom of the stairs.

3776. But does your wharf adjoin the stairs?—Yes, it abuts upon them.

3777. Then all from the public stairs adjoining is your property?—Just so.

3778. Would that allow you to place any vessel at your wharf so that any part of the vessel would overlay the stairs?—So as we do not stop up the way to the stairs; our vessels do sometimes overlay.

3779. That, I presume, would be, strictly speaking, against law and against regulation?—It is followed out up and down the river on both sides. If the Harbour-master or the Watermen's Company complained, and said, "You are preventing the ingress to our stairs," in that case we must put them back.

3780. Legally speaking, the stairs ought to be perfectly clear, ought they not?—Yes.

3781. As it is now, their pier overlays the stairs, does it not?—It does.

3782. They, therefore, enjoy a privilege by means of their pier which you do not enjoy?—Certainly.

3783. Is that a cause of any inconvenience to you?—Yes. As I said before, at flood-tide, if we have vessels lying there, it would take ten or twelve men to get a barge in when one man ought to be able to do it. They get athwart the dolphin there, and it requires enormous strength to move them. It requires ten or twelve men, and a crane sometimes, to get them into their berth.

3784. You mean to say that if their pier did not project over the stairs, you could get a vessel to your wharf more easily than you can now?—Yes; and get away barges more readily. The danger would be in getting their stern on to the pier, and the bow going round, so that nothing could hold them.

3785. Have you ever had an accident of that kind happen?—Not since the pier has been there. We once had a vessel take the ground by the stern.

3786. I want to know whether your vessels are in any danger from coming into contact with their pier?—Our steam-vessels have been athwart, and there was a barge which got her stern under this pier and a vessel; and if it had not been that the captain of the vessel was on deck, and got 20 men to work, and so got her clear, it might, if she had been loaded with sugar or coffee, have been a very serious thing, and it would have most likely fallen on the wharfinger.

3787. What vessels are they which lie at your wharf?—Irish vessels, laden with Irish provisions.

3788. Screw-vessels?—Yes.

3789. What is their tonnage?—About 140 or 150 tons, or from that to 200.

3790. You say it is a disadvantage to you; am I to understand that it puts you to a greater disadvantage and to more expense in bringing these vessels to your wharf than it would if the stairs were perfectly free?—The danger is to vessels, and it puts me to more expense as to barges coming alongside.

3791. Then, since that pier has been put up, you are placed at greater disadvantage and more expense than you would be if the pier was not there?—A very great deal.

3792. I suppose there can be no doubt that the pier is a public convenience, can there?—It is a convenience, no doubt; but I think, for the sake of the public, they ought not to be allowed to land on our side, irrespective of the question of convenience to us.

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3793. But is there any doubt whatever that, when a man has once crossed over from the steamboat to those stairs, he is better off than if he had to get on in the old way?—No; I think the old way was the safest.

3794. Admitting that there is a public convenience in having a steamboat pier there, might not your wharf have been used for the same purpose as the public stairs?—Yes; they might have used it, and they might have landed down in Tooley-street, and avoid the crossing altogether. I advised them to go to Chamberlain's Wharf.

3795. I am asking you about your wharf; let us keep to that. Your wharf adjoins the stairs, and this pier lands on the stairs: the question I asked you was, might they not have come to some agreement with you to use part of your wharf as a public pier?—I do not know that we could have taken them; it could have been done, but I do not think we should have taken them.

3796. Do you mean to say it would not have been worth your while?—I think it would have interfered too much with our regular trade.

3797. Is the wharf your own?—It belongs to the Bridge House Estates.

3798. Have you made any request to the Conservators to which they have demurred?—Oh, yes; I have been to them over and over again.

3799. Reasonable requests I mean, of course?—I went to them, in the first instance, and showed them that the very thing they were doing had been found to be a nuisance, and had been condemned by a jury of the country, and had been two or three times removed.

3800. Have you on any other occasion, not in reference to this pier, gone to them, and found them reluctant to afford you support in anything you asked for?—I do not think I have had anything to ask of them.

3801. Do you think if it had been an open court, instead of a closed one, you would have been more satisfied?—Undoubtedly; as I have stated, I was obliged to stop my proceedings when I went for an injunction against this pier. After being heard by Vice-Chancellor Wood, he stated, before he gave his judgment, that he should send it to a jury, and give me 12 months to bring it before the jury.

3802. *Chairman.*] Was that in order to prove damage?—I think it was for an indictment; we indicted it for a nuisance before, when it was removed. My solicitor said it would cost something like 800 *l.* or 1,000 *l.*, and that the prejudice was such on the other side that it would not do to bring the action here, although I did in the first instance try it at Kingston.

3803. Mr. *Locke.*] That was an indictment for a nuisance, was it not?—Yes.

3804. Mr. *Longfield.*] That was before the Act of 1857, was it not?—Yes; it was in 1855.

3805. Mr. *Locke.*] Was that nuisance abated?—It was, and removed. Mr. Baron Platt, who tried the case, came down to view it, and he said it was both a public and a private nuisance.

3806. Mr. *Longfield.*] It was a technical nuisance?—It was a personal one as well as a technical one. Mr. Baron Platt said it was privately dangerous to our vessels coming alongside;

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side, and publicly because the arch was made for 130 feet clear waterway, and they virtually go and block it up.

3807. Mr. *Locke.*] Do you say that Mr. Baron Platt declared it was both a public and a private nuisance?—Yes; I have his judgment here.

3808. If it was a private nuisance, then it could not be merely a technical one; because, if it was a private nuisance, it must have been a damage to a private individual?—Just so.

3809. Mr. Alderman *Salomons.*] Do not the Conservators profess to see anybody that has any complaint to make?—I do not know; I had very great difficulty about it. I took a legal adviser with me, which, perhaps, is not always an agreeable thing to do; they would not let him into the room, but they took no heed. Again, as to the accommodation they give to the public, it has been stated before this Committee that these piers were actually an advantage in this way, that persons might make fast their barges to them, and bring them up in safety. Now here is a notice which I have had served upon me, "Barges and other craft are not allowed to moor at this steamboat pier, and if so moored, will be cast adrift. By order, *E. Burstal,* Secretary."

3810. *Chairman.*] What is the date of that?—There is no date to it.

3811. When did you receive it?—I got it a few days ago.

3812. Mr. *Locke.*] Is not that a notice affixed to every pier?—Yes, to every pier; but there is no date upon the board.

3813. Mr. *Lindsay.*] Do you mean by the answer that you gave just now the Conservators are not accessible?—I cannot say that exactly. As I have stated, they sent and put a pier down adjoining my wharf without informing me. I did not complain much of that.

3814. *Chairman.*] I understand you to say that in your opinion they transact their business in an unaccommodating spirit?—I think so; and in an arbitrary spirit. The old Navigation Committee was better in that respect, for they gave notices right and left to the neighbours on each side, and we met them on the spot; they came down in the old navigation-barge, and heard our complaint, and what was to be said on the subject.

3815. Mr. Alderman *Salomons.*] You say they were better than the present Board; they were not all composed of nautical men, I am quite sure?—I said they were in some respects better than the present ones. They were composed all of one sort, and I thought they were a very indifferently constituted body for such a navigation.

3816. Mr. *Longfield.*] Has not the Conservancy Board some very able nautical men connected with it; was not Captain Sulivan connected with it?—Yes; from what I know of Captain Burstal and his affidavit, I should say that, although he might know how to command a man-of-war, he can know very little about the Thames.

3817. And Captain Pigott ditto, would you say?—I have not the pleasure of knowing him,

3818. Is Captain Burstal, the secretary, a gentleman who knows anything about it?—I think very little.

3819. Mr. *Lindsay.*] Do you mean to say that Captain Burstal, the secretary of the Conservancy Board, does not understand his duties; is that what you mean to imply?—I should say from the interviews which I have had with him, and the conversations pointing out the danger attached to vessels coming up to our wharf with a pier put down under the arch, he cannot understand his duty, or else he would have given his veto against such a thing being erected.

3820. Mr. *Longfield.*] There is Mr. Leach, the engineer, on the Board, does he know the river and its requirements, in your opinion?—I should certainly say that Mr. Leach cannot know what he is about, and I will give my reason. This pier, which is placed down on the south side, when it was finished it was found there was not sufficient water for the steamboats to get away at low water; and what did they do? they went and actually grubbed up the very stones, the foundation put down for the protection of the bridge; they dredged a considerable quantity of water to allow the passenger-boats to float at low water.

3821. Is this at London Bridge that you are speaking of?—Yes; under the arch at London Bridge, and there has been a great scour going on there ever since.

3822. I think you were not here when the engineer gave evidence upon that point, and stated that they had not gone within several feet of the foundation?—I have had before me the affidavits which were before the Vice-Chancellor when this all came out.

3823. Are you aware that it has been distinctly proved that they have not touched this foundation at all, and that the scour has not injured it?—I say distinctly, on the other hand, that they have done it, and I can bring Mr. Jermyn, who was before Vice-Chancellor Wood, to prove that he was present when they did it; he was employed by the Corporation who took all the sections, and who knows the way in which the bridge was placed, and in which it was left at its building, and since that they have grubbed up, and taken away the stones there; as I have said, I can produce the men who actually saw the stuff taken away, and Sir John Rennie wrote to the Court of Common Council upon the subject, begging them to interfere, and to stop them doing it.

3824. Then the effect of your answer is this, that Captain Burstal must be unacquainted with his duty, because they have grubbed up, as you call it, the foundation of London Bridge, to make this pier?—Just so.

3825. That is the short purport of it, is it?—Yes.

3826. Was Sir John Rennie the person who said that the smoke of the steamers would crack the stones of the arch?—He said, that the fire issuing from the funnel, which is sometimes within about a foot or 18 inches of the arch, will ultimately injure it; and not only did Sir John Rennie say so, but also Mr. Page, the engineer who built Westminster Bridge, and Mr. Martin the same; and if the Committee come to view the spot, I hope they will come down about half flood, and they will see the dangerous state in which the arch is. I do not know what it may arise from, but there are all sorts of droppings from the cement, and I have over and over again seen the funnel within a foot of the arch, and the fire going hot up against it.

3827. You say you have seen things hanging down from the arch of the bridge?—Yes.

3828. Do you know what a stalactite is?—I do not know what it is occasioned by, but the smoke and heat, I think, will ultimately be very injurious to the bridge.

3829. Do

3829. Do you think that Mr. Leach, the engineer of the Conservancy Board, knows anything about the Thames?—He ought to do so; I believe he was with the old Navigation Committee.

3830. Do you know that there are five members of the Conservancy Board selected by the Admiralty, the Trinity House, and the Board of Trade?—Yes.

3831. Do you think that those bodies are very proper persons to be represented at the Board?—I think that the Government ought to be represented, certainly.

3832. But you think that the impropriety or the unfitness of the others is such as that the propriety of this choice is neutralised; is that the fact?—Yes.

3833. You think the seven men you speak of are so ignorant and necessarily so?—What I said was that their calling was such that they could not be supposed to understand what was requisite for a river like the Thames.

3834. Then you think these seven men neutralise those who are in the minority of five?—I cannot tell what takes place at their Board.

3835. But you think so from the injudicious way in which they act; is it not so?—I think that would be so.

3836. In point of fact you think the body is unfitly chosen?—I think very unfitly chosen as regards the Corporation.

3837. You think that the powers placed in them by Act of Parliament have been improperly and injudiciously exercised?—I think so. May I be allowed to say one thing in answer to the question which was last put to me. On the City side they have driven away a trade from one place of 1,200 *l.*, and I do not know how much from another. It was laid down that the river should be deepened up to the place, the same as at Brunswick Wharf, St. Katherine's Wharf, and Irongate Wharf; instead of running out jetties for the better navigation of the river, they were to deepen down by the premises; they have not done so, but they have adopted the other system of carrying out projections.

3838. Are you aware that they have given scientific reasons for not doing that which you have suggested?—They cannot have given scientific reasons; blocking up the inshore passage by St. Katherine's Dock cannot be very scientific.

3839. Do you say that the powers reposed in the Conservancy Board have been injudiciously exercised?—I think so.

3840. In respect of the localities where they have permitted piers to be erected?—Yes.

3841. And also in respect of the very nature of the piers themselves, the extent of projections?—Decidedly; they caused the evil. The Committee have it proved that they themselves reduced one to the extent of 30 feet, where several accidents had happened.

3842. Also in permitting different parties to erect piers, and in giving licences indiscriminately?—Yes; I do not think against the public they should grant to private individuals certain privileges, the effect of which is to block up the highway of the Thames.

3843. You think also that the navigation throughout, the depth of the water has not been improved by them?—Partially it has; they have taken away one or two shoals, but Captain Fisher was doing that in 1837.

3844. You think they have also acted injudiciously and improperly in not keeping within Walker's line?—I should say decidedly so, for that was considered at the time by the Admiralty and the Corporation the line that was to be adopted in future.

3845. Whether or not it be the proper line, yet its being so considered at the time, you consider they have acted improperly in departing from it?—Looking at the plan, it seems a very good line, and laid down in a uniform manner.

3846. You think also that they have exercised their powers harshly?—I do think so, decidedly.

3847. And also that private property has been injured by the exercise of that power?—Seriously.

3848. And that the public have not benefited by the exercise of their powers, from the way in which those powers have been enforced?—I should say, not only those individuals to whom they have given a sort of public right they may have benefited, but the public have not.

3849. With regard to this particular pier at London Bridge, do you think that the old pier was better and safer?—No, that was not allowed, it was removed as injurious to the navigation, and not allowed to exist, but when the Conservancy Board came into power they erected the very thing that was complained of.

3850. I am speaking of the one above bridge.—Yes; that was removed, and had been removed two or three times by the Bridge House Estates, and by Captain Fisher the harbour-master.

3851. Is this a plan of the old pier (*referring to a plan*)?—Yes; that was removed.

3852. What accommodation had they before this pier was placed by the Conservators?—Only the stairs, for the boats to come alongside Ferry Watermen's Stairs.

3853. Then a steamer could not come alongside at all?—No; they were not made for that, they were only made for wherries.

3854. Has there not been an enormous traffic of late, for the last five years, for instance, from steamers coming alongside there?—Yes; there have been a great number of passengers.

3855. An enormous quantity, has there not?—Yes.

3856. Without that pier could they have landed those passengers there at all?—No; they can use those stairs; they ought to have come down below, and have gone to Barber's Wharf.

3857. But for this pier, what accommodation would there have been for steamboats at all?—That pier ought not to be there, for the stairs were made for Ferry Watermen's Stairs, for small boats, and not for large steamers.

3858. Would there be any accommodation for steamers there at all but for this pier?—Of course, if the pier was not there they could not get to it.

3859. Is there not an enormous quantity of traffic carried on by the steamers there?—There is a great number taken by these boats.

3860. Just suppose for a moment that your wish was gratified, and that they were taken away, what traffic would there be then, it could be by the Watermen's Stairs only, I suppose?—If they had removed the lower part as it always was, they could still land at the upper side.

3861. The steamers could, do you mean?—Yes; and they did do so for a long while.

3862. Where?—At that public pier. As I stated before, we did not object to that, because it did not interfere with navigation of our barges; but for all that, it was towed away by the Harbour-master, and was found to be a nuisance.

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3863. Has not the pier been the greatest possible accommodation to travellers by steamboats?—The upper one, I think, has been so; but by coming to the lower one, they only bring passengers into danger.

3864. You think, then, that this pier has been of great accommodation to a great number of passengers?—If they had not gone to any other pier, they never ought to have used those stairs; they were made under an Act of Parliament as Ferry Watermen's Stairs, for small boats; they have only got about 30 feet in length there, and these steamboats are about 60 or 70 feet long; they are bringing steamboats, which were never contemplated to have come there, into a space of about 30 feet.

3865. In fact, you complain that this, which was erected to accommodate the watermen's traffic, has been converted into an accommodation for steamer traffic?—Just so.

3866. Which is the greatest in point of number and extent, the watermen's traffic or the steamboat traffic?—The steamer traffic, decidedly; but then they bring the steamers to a place which was intended for the watermen.

3867. You think that the public were more safely accommodated by the old Watermen's Stairs than by the new pier?—I do; I am positive of it.

3868. Will you give the Committee an idea of the annual amount of loss suffered by you by the erection at London Bridge?—It would be almost impossible to say; for this reason: instead of employing one man, it sometimes took 10 or 12, and a crane besides. We may have five or six barges up at one tide, a flood-tide; and we want to get them out at high water; if not, they are obliged to remain all night; if we take something like half an hour or an hour to get out a barge, where it had only taken five minutes, you may imagine the loss.

3869. Then you think you have suffered a severe pecuniary loss by that erection?—I do, besides the danger.

3870. We will now come to the constitution of the Board. You say that it should consist of about 30; would you pay them?—That I should leave to the Government to decide; they ought to be the best judges. As one of the Board, I should say, that if I had been working there all day, I should like to have a good dinner after I left off.

3871. Would you have the election annual?—Yes, I think it ought to be annual.

3872. Do you mean of all the Board?—Not of the Government part of the Board. I think the election might be annual, or every three years.

3873. What would be the qualification of the gentlemen elected?—They should be all rated to the parish.

3874. To what amount?—I think it ought to be everybody who pays rates.

3875. Might not a tea dealer or a grocer have a voice then?—He ought to have a vote, I think.

3876. As a ratepayer?—Yes.

3877. Might he not elect a brother tea dealer to sit on the Board?—The whole constituency might nominate whom they thought proper.

3878. As to the qualification of the elected, what should be their qualification; wharfingers, shipowners, or persons of some special fitness, and how selected?—I think any one residing in the parish that was qualified might be elected.

3879. How qualified, may I ask?—By paying rates.

3880. Then might not they elect Alderman Dakin again?—I think as regards the waterside premises, the docks and wharfs, they ought to be wharfingers, dock proprietors, or lightermen, or shipowners.

3881. You think that the gentlemen composing the Board, that is the candidates for this onerous office, should be either wharfingers, shipowners, or lightermen?—Yes; or the Watermen's Company.

3882. What amount of rates should they pay?—I should not restrict that, any more than I should for a Member of Parliament.

3883. You say that every ratepayer should be entitled to a vote, but that he should only be entitled to vote for a particular class of person?—Just so, according to those who are to be represented.

3884. Are you aware, following that analogy, that a ratepayer may vote for any person he likes to be a Member of Parliament?—The Members of Parliament will be nominated *ex officio.*

3885. Do you think if the ratepayers generally had the power of electing, they would elect for that body persons different from those they elect to fill the office of common councilmen?—I believe they would, undoubtedly; they would have no other interest than to send a person there who was connected with the Thames, and had an interest in the navigation of the Thames.

3886. Upon the whole it appears that you are greatly dissatisfied with the management of this Conservancy Board?—I am very much so.

3887. From private injury and from public loss?—Both; I do not think they are competent for the work.

3888. You think that they are badly selected, and that they work badly?—I think so.

3889. Mr. *Ewart.*] Would you have the elected live in the borough?—Wherever the property was situated.

3890. You would not fix any limit upon the distance from London where they should be living?—No; not so long as their property was in the county or borough.

3891. How many years do you think they ought to serve; three years?—I think three years; I said at first annually, but I think three years would be better, but I do not give any particular opinion upon that.

3892. Mr. *Cubitt.*] I think you said that the Conservators disregarded Walker's line?—Yes.

3893. Have they encroached upon the water beyond Walker's line, or have they kept within it?—They have encroached, in many instances, beyond Walker's line.

3894. Are you quite sure of that?—I can give one instance of it, and that is at the Dublin Steam Wharf, below St. Katherine's Docks: that goes out 89 feet, I think, according to the first return; the second return, I think, shows 110 feet, with one steamer lying alongside, that completely stops the inshore passage there. They have made a sort of bridge for the barges to go under, and if the barges, as I have said, were loaded with hops or wool, they might be carried over, or a man might be knocked over or drowned.

3895. What headway is there at high-water under that bridge which leads across to the vessel you speak of?—It is a pier which is carried out beyond Walker's line, I should say, the whole distance.

3896. *Chairman.*]

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3896. *Chairman.*] What pier is that just below St. Katherine's Dock?—It is that which I have pointed out to the Committee.

3897. Mr. *Cubitt.*] Do you happen to know what headway there is at high-water there?—No, I could not say; but I should think there would not be above four feet, or something of that sort, if there was that.

3898. Is it not the rule that they lay down that there shall be eight feet at all these bridges at high-water?—There is no general rule.

3899. Not laid down by the Conservators?—As to the present Conservators I don't know what the rule may be; but the old Navigation Committee would not allow any projection of any shape.

3900. I want to know what headway there is under the bridges which lead out to the pier, you say about four feet; is not that contrary to the rule which the Conservators laid down?—I am not aware what rule the present Conservators have laid down.

3901. Are you aware that the Navigation Committee did lay down a rule of that sort?—I am not aware; if they did I should say it was a very bad one; there ought not to be any bridge or dummy over the navigation for boats to pass under.

3902. Then, are you of opinion that steamboats for passengers ought to be altogether abolished?—No; this bridge is not for passengers.

3903. I am asking you, as to landing-piers in general, whether the Navigation Committee did not lay down a rule that the bridges, which should lead to the landing piers or dummies, should not have more than eight feet headway at high water?—Are you speaking of the bridge?

3904. I am speaking of the steamboat pier at Dublin Wharf; that is a steamboat pier, is it not?—Yes; but not for passengers only, for goods; I do not know that there was such a regulation, if there was, it was a very bad one, for it completely stops up the inshore passage.

3905. If there was a certain amount of headway at high water, would not that headway be greatly augmented at half tide?—Yes; there certainly must be more according to the way in which it is constructed.

3906. What was there at the Dublin Wharf before this pier was built?—It was the same as our wharf; indeed, before 1833, we had that wharf ourselves; it was a regular wharf, and your vessels came up alongside your premises. Now they have come out to the extent of 89 feet according to their first return, and 110 feet according to their second return, and one steamer at the end blocks up the inshore passage altogether.

3907. When the Conservators came into office, did not they find something there for the purpose of landing and embarking goods?—I do not believe they did; I know that Captain Fisher, prior to that, was removing all the piers he possibly could.

Captain Edward Burstal, recalled.

Capt. *E. Burstal.*

3908. Mr. *Cubitt.*] Do you happen to know what there was in existence at the Dublin Wharf before you put up this structure which is complained of?—Yes; before the present jetty was placed there we had a row of dummy barges lying alongside. At the end of those dummy barges there was a short dummy barge at right angles with those. The steam-vessels coming from abroad, with a great number of cattle in them, went to this very inconvenient place to land them; and because the tide was so low, and because the cattle could not get up off these dummy barges, the steamers had to lay in the tiers in the pool until such time as the water was sufficiently high to admit of the steamers floating and landing the cattle in safety. The Conservators found that the trade was being conducted in a very unsafe way with respect to the cattle, and also that a great quantity of mud was being deposited on either side of the dummy barges, which grounded every tide; the result has been that a jetty has been put at the Dublin Wharf, which, to my mind, and I am quite sure to the minds of the persons who are at the wharf themselves, is the best thing that has ever been done for trade on the banks of the river. The steamers now come at all times of the tide. The bed of the river was dredged close to it, to admit of their coming in as close as possible, and there is a moveable jetty working in this way, so that even at low water the ends of the jetty rest upon the steamer, and they can land all their cattle directly they come to London in safety, alive, where formerly as many as 80 or 90 head of cattle died from being suffocated in the vessels whilst lying in the tiers. That is the position of the Dublin Wharf as it now is as compared with the manner in which cattle were landed previously.

Mr. James Fennings, continued.

Mr. *J. Fennings.*

3909. Mr. *Cubitt.*] Would you like to say anything upon what Captain Burstal has stated?—It just proves that what was previously considered a nuisance the Conservators have made a permanent one. These floating barges were removed as far as it was practicable, and these gentlemen, instead of following out that, have put down piers. I was down there last week, and I know that there is a fixed bridge. I stayed there some time watching the barges and craft coming in.

3910. What I understood Captain Burstal to say was this, that there was a sort of platform, which was raised or lowered as the tide rose or fell?—When the Committee come to view the place they will see that this is a fixed pier, and that it completely obstructs the inshore navigation, which any pilot or lighterman will state is a very dangerous thing, and at times altogether prevents their coming there.

3911. We were asking about Walker's line, and this is one instance in which they have deviated from it. Can you tell the Committee any instance in which they have gone beyond Walker's line into the river, except in the case of landing-piers?—No.

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3912. You speak of the manner in which your applications have been attended to. Have you ever had occasion to make such applications with regard to your wharf? For instance, have you applied to have moorings put down?—I think there was one put down a short time since; and within a short time I may say they have been somewhat courteous, for Mr. Jonathan Thorpe met me in the street, and told me that a letter had been sent to me, wanting to know whether I objected to Mr. Scovell laying down some moorings. It is only of late that I have received such courtesy.

3913. Then you have applied for a mooring?—They removed one for us, I think. I think there was a mooring-chain which they objected to, and they removed it; but I have no fault to find with them for that. They thought it was not in a proper position.

3914. Was that previous or subsequent to the sitting of this Committee being mooted?—I should say subsequently, because we have been moving about this Committee for a considerable time. I have been to the Admiralty on two occasions, and to the Board of Trade. We thought there would be an alteration, but we found it was beyond their jurisdiction. I also wrote to the Duke of Newcastle on the subject. He took a very prominent part in it, and he stated at the time that this Conservancy Board would never work well. I had a letter from him, stating that he felt as deeply interested in the question as ever, and that he should be quite prepared at the proper time to state his views on the subject.

3915. Then you never applied to the Conservators to lay down a mooring-chain for you?—I rather think there was one some time ago at the lower side. I was alluding to the upper side.

3916. You applied to them on that occasion, did you?—I expect we did.

3917. And they met your wishes?—I should say they did.

3918. Did they charge you anything for it?—No, I do not think they did; in fact, I should have objected to it if they had done so, for that was what we had had 20 years before. I find that a good many gentlemen do complain very much about their charges; in fact, they say they only make their charges in order to get a fund.

3919. You have spoken with considerable freedom about several individuals?—I hope not too much so.

3920. You said that Captain Burstal might be a very proper man on board a man-of-war, but that he was not fit for anything else?—I did not say that; what I said was that I did not think he was fit for the position he was in.

3921. Do you happen to know what Captain Burstal's antecedent employments have been?—I have heard that he was actually employed with Admiral Bullock in the survey of 1851, and I believe it was to the astonishment of Admiral Bullock that Captain Burstal has acted in the way he has, after knowing what was laid down by Mr. James Walker himself and others.

3922. You have already told us that you are not aware of any projection of a permanent nature beyond Walker's line?—I say I am not aware of it, but I have little doubt from the way in which they have carried out some 320 feet. I do not believe they have restricted themselves to what they have done in solid embankment. If I had known the importance of the subject, I should have made myself acquainted with it before coming here, and I shall do so now. Before the honourable Member for Southwark came here, I stated that the return was only for a twelvemonth, and that they took something like 30,000 square feet out. In February last he moved for a return of all these projections, and I have little doubt that when the Committee see that, they will see that it is something like 100,000. At this very Dublin pier it was 89 feet in the former return, and now it is 110; that shows a great increase on the first return.

Mr. Stephen William Leach, recalled.

Mr. *S. W. Leach.*

3923. Mr. *Cubitt.*] Has there been any solid embankment carried into the river beyond Walker's line?—To the best of my recollection there has been no solid embankment whatever carried out by the Conservators beyond Walker's line.

Mr. James Fennings, continued.

Mr. *J. Fennings.*

3924. Mr. *Cubitt.*] With regard to Captain Burstal, you are aware that he was employed with Admiral Bullock and Mr. Walker in making soundings?—I only heard it from Admiral Bullock.

3925. You do not know of your own knowledge that Captain Burstal has made a survey with soundings at very short distances up and down the river for a great many miles?—I am not aware of that fact.

3926. And you are not aware that he has been employed in taking soundings in tidal waters along the coast for the Government?—No; I am not.

3927. You have spoken of persons on the Board of Conservancy who have no knowledge of the river; do you know Mr. Rathbone?—Yes; he is one of the members of the Court of Common Council.

3928. What is his business?—He is a lighterman, I think; he has lately come on the Conservancy Board.

3929. Then he knows something of the river, probably?—I should think so.

3930. You have talked of representatives; do you conceive that the persons appointed by the city are sent there to represent the city, or are they appointed by the Court of Common Council to carry out duties of great importance as members of that Board?—It is impossible for me to say what the Common Council may do; I believe they are all the same class of individuals; they may do it with the best intention, no doubt, and they may fix upon some one who has got a name connected with the Thames, if they have a person of that description, but I do not think that the Common Council is a competent body to send any one to this Board; they are not themselves judges of the requirements of the navigation.

3931. There

3931. There are 206 common councilmen, besides aldermen, are there not?—Yes.

3932. It is a great body, and upon that body is imposed the duty of appointing men to serve upon this Board of Conservancy?—Yes.

3933. Do you conceive that they are put there to represent the city, or to perform very important duties to the public?—I say I do not think the Common Council, as a body, are capable of returning suitable persons.

3934. That is not the question; the question is, whether they are appointed as representatives of the city, or to perform certain functions of great importance?—I suppose they returned them, considering that they are to be connected with the navigation of the river. I suppose they returned them with that view.

3935. What I wanted rather to get at was this: we all know what a representative of a constituency in this House is; but it does not seem to me that the persons who are appointed to carry out duties of this kind can be considered as representatives; that is what I want your opinion upon?—They are chosen generally from a body of men representing a particular interest. There may be some in the Common Council who have not had anything to do with the Thames whatever. It does happen that there are lightermen and others amongst them; but out of the seven who are sent to the Conservancy Board, there are only Mr. Rathbone and Mr. Turnley. It might happen that Mr. Turnley might not be returned for his ward another year, and then he would no longer be a Conservator, and you might have some inland gentleman in his place.

3936. The Board of Conservancy has now been established about six years, has it not?—Since 1857.

3937. Has there, in fact, been such an incident as you allude to, of any person who has been appointed on the Conservancy Board, not having been again returned by their ward?—I believe Mr. Jonathan Thorpe had a very near squeak one year.

3938. But there has been no such incident since this Board has been established, has there?—I do not know. I think Mr. Rathbone has been on the Board since Alderman Dakin went off.

3939. Mr. Rathbone was appointed in Mr. Alderman Dakin's place, he being a barge-owner and a wharfinger?—Yes; but supposing you have not one of that class, which you are not very likely to have, I say the body is not competent to return them.

3940. Just let us imagine for a moment what the Court of Common Council is. Is it not composed of persons who are appointed as being the best men of the respective wards most qualified for public duties?—I have no doubt they are highly respectable citizens, and I have said so; but they have nothing to do with the Thames, or they may not have, except by chance, as in the case of Mr. Turnley and Mr. Rathbone. You may have as a representative a gentleman who is a chemist or anything else.

3941. I was asking you whether you did not think that the members of the Common Council would not be men best calculated for the performance of public duties?—Certainly I do.

3942. And, then, whether 206 men of that sort would be likely to make a bad appointment when called upon to elect persons?—I do not think they would if they knew it, but they are not always capable of getting the men to return. They have not got the body to return from.

3943. Mr. *Ewart.*] They do not understand the question?—They do not understand the question. It is impossible that they should do so.

3944. Mr. *Cave.*] If a man has been employed upon several surveys in the river, and has made a report afterwards, would you not consider him likely to be a man of some knowledge of the river?—Yes.

3945. More knowledge, perhaps, than the county members, for instance, would possess?—Yes.

3946. And more knowledge, probably, than a man that would be elected by the different constituencies you have mentioned?—Certainly.

3947. Then if you had such a man, you would say that it was very fortunate for any Board to have him upon it?—After he had had the experience of two or three years, you mean?

3948. If a man has been employed upon several surveys, and has made a report upon the river, would not that imply knowledge which the Board would be very glad to possess?—Yes, I should think so.

3949. And if Captain Burstal was such a man, you would not consider that he was a man ignorant of the river, would you?—I do not know that; that would depend upon his actions in other respects. He might be good in some things and bad in others. I only gather from what I have heard, and from what I know, from his affidavit and other things, that he does know very little about the Thames.

3950. But if a man other than Captain Burstal had those qualifications, you would consider that he was a man very fit to be upon the Board?—What I stated was, that Admiral Bullock was surprised at his taking the course he did, although he had surveyed with Admiral Bullock; so I think that shows he had bad qualities as well as good.

3951. Mr. *Locke.*] You think he ought to know more than he does?—I think so.

3952. Mr. *Cave.*] You mentioned London Bridge; are you sure that the piers of London Bridge have been shaken by these piers that have been placed there by the Conservators?—There is a very considerable scour going on, and there are now two or three feet water at low tide, where it never used to exist. I had the testimony of Sir John Rennie, Mr. Page, and Mr. Martin, stating what would be the effect, and already it has washed close to the iron-front something like six or eight inches; there are only about three feet from the bottom, and that is made ground; where we stand is below New London Bridge; Old London Bridge ran right into the centre of our wharf.

3953. Mr. Leach stated that he had not gone within 17 feet of the platform, upon which the foundation of the pier was erected; if that is so, do you think that there is any danger of the scour shaking that pier?—I cannot think what Mr. Leach means by making that observation; if the Committee come down to examine the place, they will find it is something like 25 feet from the spring of the arch out to their dolphin and alongside the barge there. Small steamers land there at low water, they used to ground, but now they have gone and grubbed up the stuff right under the bottom of the vessel.

3954. Then what do you say with regard to the fact stated by Mr. Leach, that they have not gone within 17 feet of the foundation?—I question the fact, I don't know what he means by it,

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it, I cannot comprehend it; the fact is as I have stated; it is 25 feet from the outside of the dolphin, and they have taken away a great quantity of stone there, which was put down for the security of the arch.

3955. Suppose he is correct with regard to those figures, do you think there would be danger from the scour?—The washing is going on there, and I think it ought to be examined into.

3956. You think even if there are 17 feet from the platform, that the scour will, some time or other, weaken the arch of the bridge?—I do.

3957. Has there been any perceptible weakening of the arch of the bridge hitherto?—I do not think there has from that cause; but it has sunk something like 18 or 20 inches on that side. That was owing to this, that after they got their plans and laid their bridge, they added something like nine feet, and when the tide is going down, the east part is something like 18 inches lower than the west side of the bridge. The piers are all sunk.

3958. How long has that settlement been?—Nearly from the commencement.

3959. How long ago is that?—The bridge was opened, I think, in 1832.

3960. Has it increased since then?—That I cannot say.

3961. You have not perceived yourself that there has been any increase of settlement?—I have noticed of late at very low water you can actually see the piles of the bridge, the heads of them.

3962. How long have you noticed that?—I think it is about six months ago, or something like that, that my attention was first called to it; but I think I saw one a considerable time before that. They are the piles upon which the foundation was built. The old piles were not drawn, but were left there, and they threw down an immense quantity of Old London Bridge into this hole, and they also brought something like 20,000 tons of Kentish rag, and threw it down to make it as solid as they could.

3963. Mr. *Locke.*] And that, you say, has been removed partly?—It has been removed.

3964. Mr. *Cave.*] Are those the piles that support the platform upon which the new bridge was built, or are they simply piles left from the foundation of the old bridge?—They are piles that were left there after the erection of the new bridge; the coffer-dams I suppose them to be.

3965. Did those piles ever support the platform upon which the foundation of the bridge was built, that is the point?—I could not say that.

3966. Are they not simply the piles upon which the old coffer-dams were erected?—That may be, but it shows that they must have been washed very much away in order to see them.

Mr. Stephen William Leach, recalled.

Mr. *S. W. Leach.*

3967. *Chairman.*] Do you know this place?—I do.

3968. Are they the coffer-dam piles?—They are some of the inner rows of the coffer-dam piles.

3969. Mr. *Ewart.*] Did they ever support anything?—They were left in, as they generally are; the inner row of a coffer-dam is very frequently left in as a security, because, if they are drawn out, the pressure of the pier may perhaps cause mischief.

3970. Mr. *Cave.*] But they never supported anything on their heads?—Nothing whatever.

3971. Mr. *Cubitt.*] The coffer-dam, in fact, is a sort of casing, is it not, within which the pier is built?—Yes; I have a plan here showing the foundation. [*The Witness handed it in.*]

3972. Sir *John Hanmer.*] Is it possible that any pressure from the piers of the bridge could raise up these piles?—Oh, no.

Mr. James Fennings, continued.

Mr. *J. Fennings.*

3973. Mr. *Cave.*] Have you not observed that the tide has run out more than it used to do?—Yes, it has.

3974. We have heard in evidence that the tendency of removing the shoals has been that the tide has run out lower than it used to be, and you say you have observed that yourself?—I have observed, at London Bridge, that it has run out more than it used to do.

3975. Would not that account for the piles appearing rather than any change in the position of the piles themselves?—It would have that effect if it run out more.

3976. You stated a little while ago, I think, that your wharf might be used as a steamboat pier; is there not a dry bank below bridge which would prevent steamers from coming alongside?—Yes, that is so; but we have steamboats come alongside, not at all times of tide, but more than they did under this arch.

3977. If passenger steamers, of course it is necessary that they should come in at all times of the tide, is it not?—Certainly it is.

3978. Then a wharf which had the disadvantage of this dry bank would not be calculated for a steamer passenger traffic, would it?—No; but if we had been allowed, we might have had a dummy out as far as their dolphin, and then deepen it, as they have done, under the arch; then vessels might have come alongside.

3979. But that would be liable to the same objection that you have urged against the Conservators?—It would so.

3980. I suppose the number of barges and vessels that are always lying off your wharf would prevent passenger steamers from coming alongside even if you get the wharf run out?—Yes; it would be mixing the two things together, the commercial business and the passenger traffic, which we should not like.

3981. Then as a matter of fact such accommodation as the Conservators have provided is necessary for the passenger traffic?—No; they could have gone down to Barber's Wharf, a little below us, and they would have gone in a direct line to the railway, and the passengers would have avoided coming to this dangerous spot; I urged that upon them, and they could have had the place.

3982. Does not the same objection with regard to

to the traffic and the number of craft apply to Barber's wharf?—No; they could have accommodated them there; they have more vessels than we have; but it would have been a matter of pounds, shillings, and pence with them; if the steamers paid them better they could easily have arranged it.

3983. But at the same time they must have displaced the traffic which was there already, must they not?—No; no more than we did; we found we had more vessels than we could accommodate, and we gave them up.

3984. Mr. *Locke.*] Did Messrs. Barber offer that accommodation?—I do not think they were applied to; we saw the steamboat people, and asked them to do it, but they seemed determined to have this plan and no other.

3985. You say that the members of the Common Council are not good members of the Thames Conservancy?—I think so.

3986. You think they are not competent?—Certainly not.

3987. You have been asked by the member for Andover whether they are not annually elected by the electors of the different wards in the city of London; are they elected by those electors with reference to their qualifications for the Conservancy of the Thames?—I do not think it is taken into their consideration.

3988. Do you think if there was a constituency directly interested in the Thames Conservancy, they would, in the first place, look at the qualifications of candidates to fill the situation of Conservators of the River Thames, and that they would, as far as their ability went, elect the best men from those candidates for the purpose of carrying out those duties?—Undoubtedly they would.

3989. Their first object would be to have a man qualified as a Thames Conservator?—Yes, certainly.

3990. Without reference to any other qualification which common councilmen may possess or may not in a most eminent degree?—Yes.

3991. You think, therefore, that you would have a better body of men, more capable of performing the duties of Conservators of the Thames if an alteration were made in the constituency?—Certainly; I do not think any one would be returned but those who were really fit in some way to serve.

3992. And you think that many of those to whom you have alluded are not in any way fit for the duties in question?—Those who may have had a little experience for two or three years must have acquired some knowledge; but then you cannot calculate upon the continuance of those gentlemen.

3993. I suppose you admit, although a man may not be a wharfinger or a shipowner, it is possible for him to acquire sufficient knowledge to be a Thames Conservator?—Certainly; he may have acquired knowledge in various ways.

3994. But you think it would be very much better that he should start with that knowledge, instead of having to learn his business after he had got upon the Thames Conservancy?—I do.

3995. In the scheme you have made, you have not fixed upon the exact amount of qualification, either for the representatives or for the electors?—Yes; I think I have.

3996. With regard to electors, you say they should be merely ratepayers?—Yes.

3997. Do you mean that it should be household suffrage?—Everybody; or as they stand in the rate-books.

3998. *Chairman.*] Actual ratepayers, you mean?—Yes.

3999. Mr. *Locke.*] I suppose there is nobody rated for less than 10*l.* a year?—No; not in waterside premises.

4000. Then if they stood at that amount in the rate-books, you think such individuals should have a vote, do you?—That involves other questions; I do not know how far that 10*l.* ought to be carried.

4001. Then I am right, when I say you have not arrived at any distinct opinion as to the precise qualifications for an elector?—No.

4002. I think you stated before, you have not arrived at any distinct opinion as to the qualifications of a representative, to what amount he should be rated, or whether he should be the occupier of a wharf or not?—I think he should be a wharfinger.

4003. Then I understand you, that to be actually a person qualified to be elected as a representative, he should be carrying on one of those businesses which you enumerated?—Yes; shipowner, lighterman, or dock proprietor.

4004. Anything else?—And I thought any one who had landed interests.

4005. That is, if he had any interest in land in that locality?—In that locality.

4006. Or anywhere?—On the banks of the Thames, because property might be raised on those banks.

4007. You mean to say he should be a waterside proprietor?—Yes.

4008. That is to say, that his property should abut on the banks of the Thames?—Yes.

4009. Would you take either side of the river?—I should take both sides, up and down, within the port.

4010. What limit would you have, if any?—From Yantlet Creek, the present boundary.

4011. The present jurisdiction of the Conservancy?—Yes.

4012. Do you think that by that means a body would be formed that would answer the purpose of the Conservators of the River Thames?—I think so; I think all the interests would be fairly represented.

4013. With regard to this arch on the Southwark side of the River Thames, you have, I know, given this subject a good deal of consideration; do you consider that the pier of the bridge on that side is endangered by the course which has been adopted by the Thames Conservancy Board?—I do.

4014. I understand you to say, that a great portion of the stones that were placed there to support that abutment has been removed?—It formed the centre of the arch below.

4015. How do you mean, how far did it come out?—Right in the centre of the arch, about 25 feet, I should think. I think the pier comes out 25 feet, or about that, where they have taken up these stones.

4016. Do you mean the foundation?—Yes.

4017. *Chairman.*] I do not understand what arch you are speaking of?—The Southwark arch.

4018. You do not mean the arch of the bridge, do you?—Yes; I mean the arch of the bridge.

4019. Mr. *Locke.*] Do I understand you, that before they removed these stones from the pier of the bridge, on the Southwark side, that these stones came out from the pier, on the bed of the river, to the extent of 25 feet?—No; under the

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arch stone was placed, right over the whole of it, the whole 130 feet.

4020. Is that the width of the arch?—Yes; 130 feet.

4021. Then they placed stone under the arch thoroughout the whole width of it, is that so?—No; I think not. I said, in the first instance, under the whole; but I think, perhaps, for about 12 or 14 feet close to the inner arch they did not place the stone.

4022. When you say the inner arch, what do you mean?—The inner side.

4023. That is the side nearest Southwark Bridge, is it?—Yes.

4024. The question I asked you was this: let us understand, there was stone, you say, placed to strengthen the abutment of the bridge?—Yes.

4025. That is the stone from which the arch springs out into the river, and under the arch for this whole distance was this stone placed?—Underneath nearly the whole of it.

4026. Then that would be nearly 130 feet?—Yes; but I should say, for about 10 or 12 feet, they did not put down stone. I think it is mud there.

4027. Where was it, then, that they put the stone?—Right under the centre, and the remainder, except the 10 or 12 feet.

4028. Between the abutment and the dummy, what is the distance?—Twelve feet.

4029. What is the width of the dummy?—Eighteen feet.

4030. Then, from the abutment to the outside of the dummy, that is, to the side upon which the passengers land, the distance is 30 feet, is it?—Yes.

4031. Now, where do you say this stone was placed; was it under the dummy, or was it beyond the dummy more out into the river?—Beyond the dummy.

4032. Was there any stone likewise placed under the dummy?—I think, perhaps, it might come half-way under the dummy, and then up here (*referring to the plan*).

4033. You mean from half-way?—Yes.

4034. But between that half-way and the dummy, and the abutment, no stone, I understand you, was placed?—Not that I know of. I cannot answer for that.

4035. At what point were the piles, which formed a portion of the cofferdam; whereabouts did they come to?—Here (*pointing to the plan*).

4036. Then there are no piles seen at the abutment which is on the Southwark side?—Not close inshore.

4037. The piles which you see, are over at the next pier, are they?—Yes.

4038. Which pier forms the pier on the other side of the first arch?—Yes.

4039. Then do I understand you to say that stone was placed at the bottom of the river, from this first abutment out to the second pier?—It was.

4040. And where do you say the stone has been removed from?—From underneath the steamboat, and along here, they dredged along there, so as to get sufficient depth at low water.

4041. Up to how far within the second pier?—Within about 20 feet.

4042. And you say that stone has been removed under that part where this steamboat is represented?—Yes.

4043. Is that the position in which the steamboats usually lay to land passengers at the dummy?—It is.

4044. If the stone had not been removed from this position at which the steamboat is represented, could the steamboat have floated?—She could not; she would have touched the ground.

4045. Then it was for the purpose of enabling the steamboats to land at the dummy which they had placed there that the stone was removed from the bottom of the river?—For that purpose alone.

4046. And you say the stone which was so removed had been placed there for the purpose of the security of the pier of the bridge on the Southwark side?—I do.

4047. And you think that has endangered the pier?—I think it has; because of the scour that is going on.

4048. Was Sir John Rennie of that opinion?—He was so.

4049. Have you got his statement?—Here is a statement which he sent to the Common Council in order to get them to interfere.

4050. *Chairman.*] Will you read the passage to which you refer?—It is a letter dated "Spring-gardens, December the 24th, 1858."

4051. Who is it addressed to?—To F. Brand, the solicitor of the Bridge House Estates: "Sir, In reply to your letter of the 23d instant, acknowledging the receipt of mine of the same date, I beg leave to say that I regret that it was not in my power to bring the matter referred to in mine of the 23d before the Common Council earlier, as I only received the desired information on the 22d instant; but I find that they have already begun to dredge close to the stairs on the south-west end of the bridge, the tendency of which is extremely injurious, and ought to be stopped immediately, together with the other proceedings mentioned in my letter of yesterday, and I hope that no delay will take place."

4052. Mr. *Locke.*] Does that refer to the removal of this stone, which you say had been placed in the bed of the river close to this abutment or pier of the bridge, on the Southwark side, for the security of it?—It does refer to that, for Sir John Rennie came down and examined it himself.

4053. And then he made that communication to Mr. Brand?—Yes, in order that he might bring it before the Court of Common Council. That went on for a long time. I got Mr. Page to write, and other gentlemen, but they would not inquire into the question. It was at last carried by the casting vote of the Lord Mayor, that there should be no inquiry if damage was being done to the bridge. Here is the letter of Mr. Thomas Page, referring to the same matter: "Sir, — With reference to your letter of this day's date, asking my opinion on the effect of the landing pier now in course of construction at the south abutment of London Bridge, the dredging, the pile-driving, and the heat from chimneys of steam-boats, as affecting the structure of the bridge, I beg leave to state that I have read and considered the observations of Sir John Rennie to the Comptroller of the Bridge House Estates, dated 23d December, 1858, and that I agree with Sir John in the opinion that the dredging and the removal of large blocks of stone are calculated to have an injurious effect upon the foundations of that structure; also that the heat from the chimneys of the steamers must operate injuriously upon the voussirs of the arch, and might produce very serious damage to them."

In

In order to show that we were as courteous as possible in the first instance, we did everything we could, and even got Mr. Page to see Captain Burstal, and to write to him upon the subject, and here is his letter: "Engineers' Office, 7th July, 1859. Dear Captain Burstal,—On the application of Messrs. Fenning, I have made a report relative to the injurious effects of the proposed steam-boat pier at the Surrey end of London Bridge on their property, the foundations of the wharf not being low, and at the request of Mr. Sidney Smith for the wharfingers, I have given an opinion that dredging and removing large stones from the piers of the bridge will tend to the injury of the foundations, and that the heat from the funnels may damage the voussoirs." In this last document I suggested an archway under the roadway of London Bridge through the wing walls of the Surrey abutment, just allowing headway for footpassengers, which would not only allow steamboat passengers to reach the pier in its present site from the lower side, but would save the public from the danger of crossing the bridge roadway by allowing them to use the archway. I think if you and Mr. Leach would consider this suggestion, you would be able to have it accomplished, and it really "would be a great boon to the public. Of course in all improvements there are hosts of conflicting interests, and various opinions from engineering doctors, which are difficult of reconciliation; but I trust you will endeavour to protect our noblest bridge in your arrangements for the convenience of the public. I have not had the dredging proposal sent to me as yet."

4054. Was that dredging proposal sent to Mr. Page?—I have no doubt it was; but it was disregarded, as is shown by Sir John Rennie's letter afterwards.

4055. From whom was that dredging proposal to come?—I suppose from Captain Burstal.

4056. Do you know whether it was sent to Mr. Page, or not?—I cannot answer that question.

4057. What quantity of stone was removed from the bottom of the river under this arch?—I cannot say. They were several days at it, and nights also; there were large blocks. There was a gentleman who was taking soundings at the time: he was employed by the Corporation; and stated it on affidavit that he knew precisely what the sections were under the archway, for he had taken them, and given them to the Corporation. I allude to Mr. Jermyn. I have his affidavit here, or a copy of it, in which he says:—"I have also carefully examined the bed of the river, under the first arch of the said bridge, on the Surrey side, and find it greatly altered from the condition in which it was when I made my examination in 1854, for then I found the bottom to be perfectly hard and uniform, the stone causeway already referred to having formed a sort of invert to the arch; now I find the bottom to be broken up into irregular holes, caused by the removal of very large stones, by the defendants, the Conservators of the river, for the purpose of deepening the channel so as to admit of steamboats approaching the new pier at low water.

4058. Whether or not, that abutment on the Surrey side has sunk at all in consequence of that you cannot say?—No.

4059. *Chairman.*] I understood you to say it certainly had not, because it had not sunk since 1832?—I said that I did not think that it resulted from this pier. I am not aware when the sinking first took place, but I think it has been for many years sunk in the way it is now. I do not think that it arises from this work, but that I will not be sure of as to one part.

4060. Mr. *Lindsay.*] You are of opinion that the members of the Board ought to consist of wharfingers, dockowners, and shipowners, and those directly interested in the navigation of the river?—Yes.

4061. Is it not the case that the public generally is very much interested in the River Thames?—Yes.

4062. Might it not so happen that those gentlemen who were directly interested, such as wharfingers, and the other gentlemen you have named, would sometimes study their own interests, and forget the interests of the public?—We are all inclined to be selfish, no doubt; but I think that would not be the case if we had a proper representation of the Government, as also of the landed interest right and left, as also the members *ex officio*, and of the Metropolitan Board of Works, I think they ought to return one, considering the duties they have to perform with reference to the sewerage and the embankments. I mentioned some others, and I think I said one for the Board of Health, and also the Lord Mayor. I think that would be found to comprise all the interests connected with the working of the navigation.

4063. Do you propose that their election should be by the suffrages of the ratepayers?—I think that would be the easiest mode of doing it. I believe Captain Sulivan seemed to think it would be very difficult with respect to the lightermen, because, he said, you would have to count every barge, but that could be got at from the Waterman's Company, because they are, or ought to be, all registered.

4064. Do I understand you, that those who hold the franchise should be inhabitants of London generally?—Not inhabitants necessarily, so that the property they represent is within the jurisdiction of the Conservancy.

4065. You would confine it to those who hold property within the jurisdiction of the Conservancy?—Yes.

4066. You passed a remark with regard to the competency of Captain Burstal, who is Secretary to the Conservancy Board, and I understood you to say that Admiral Bullock had expressed great surprise at that appointment. Do you know why he expressed that surprise?—I had Admiral Bullock on the trial at Kingston, and it came out that Captain Burstal had been connected with him in surveying the river, and though he now considered these piers beneficial, he did hold that any piles driven into the river injured the bed of the river.

4067. Did I not understand you to say that Admiral Bullock expressed surprise at Captain Burstal's appointment?—No, not at his appointment, but at the course he took.

4068. Do not you think that Captain Burstal, from the great experience he has had in surveying rivers, and his knowledge of nautical affairs, ought to be a very competent gentleman for the office of secretary?—He ought to be, but from his affidavit, and from what I have seen of him here, I do not think he is; but that is only an individual opinion, of course.

4069. In point of fact, is not the secretary of such a board as the Conservancy Board the most active person upon it?—I think he generally takes the lead.

Mr. *J. Fennings.*

1 June 1863.

4070. Have you not always found him in close attention to his duties at any time when you have had occasion to apply to the Board?—Yes; but I do not think I have had above two or three interviews with him.

4071. Have you received prompt replies to your letters?—Until lately I do not think I have come much in contact with him. During the time of the controversy about the bye-laws with the association of wharfingers on the Southwark side, Mr. Barry, who has been examined before this Committee, sent letters upon the subject, and it was a very long time before he could get any answer, and when we did get answers they were very curt and short and to the point.

4072. That was at the time when you and others had brought an action against the Board, was it not?—No; this was about six months ago, or a little more than that.

4073. Do you know any instance in which letters addressed by you to the Conservancy Board have remained unanswered?—I think the secretary of the association had an answer, but we thought it was a long time before we got one. Moreover, they would persist in that bye-law till Mr. Barry, who had been at a great expense on the subject, went to Lord Portman, and he said, if they did not remove that bye-law, he would bring it before the House of Peers.

4074. But, have you always received answers to your letters?—Yes, I think we have.

4075. Have you ever had occasion to call at the Conservancy office, and not been admitted to an interview with Captain Burstal or other gentlemen in attendance?—No; I have been there with my solicitor, as I stated, with regard to this pier, and they would not allow my solicitor, Mr. Venning, to go in with me.

4076. But they did not refuse to see you, did they?—No, they did not refuse to see me.

4077. Then that being so, and your letters always having received an answer, what is your reason for stating that you do not think Captain Burstal is the right man in the right place as Secretary of the Conservancy Board?—For the very reason I have stated, that, in the affidavit made by him in the action or injunction in the Court of Chancery, the remarks contained in it were anything but what a man acquainted with the river would really have made. From that, and from Admiral Bullock stating what he did, and from these piers being allowed to the obstruction of the navigation, I give my opinion that I do not think he is a competent person for the management of the Thames.

4078. That is to say he holds opinions different to those which you hold with regard to the management of the river?—As to the piers blocking up three arches out of five of London Bridge.

4079. In fact, the policy which he considers it for the public interest to adopt, is not in accordance with the policy which you would have pursued?—No; I think it is not for public or private interest either.

4080. Has not the navigation of the river been materially improved since the new Conservancy Board has been formed?—No, I think not, as regards the present Conservancy Board.

4081. Have not the channels of the river been deepened?—That was done in 1837 or 1838. If the Committee call for the minute-books of the harbour-master, who at that time was Captain Fisher, they will find that he had removed several shoals at that time; and as to the Collier Sections, which have been so much talked about, they were formed by Captain Fisher; he had two assistants at that time, and he also had a house appointed for him at Gravesend, for the purpose of carrying out those sections. There is no doubt that that has been a good thing for the regulation of the vessels; but he commenced it, and the present Conservancy Board came in and continued it. All I have heard of their doing has been removing one or two shoals.

4082. You say they have only carried out the recommendation of their predecessors?—Yes.

4083. Have they not originated any improvements themselves?—I do not see it; they have only put piers where they have been obstructions. A vessel ran into the one at Milwall, and sunk a barge, and a boy was drowned. The other pier they have actually themselves reduced 30 feet, which shows that they were not competent when they first put it down.

4084. Do you to say that the new piers which have been erected are more dangerous for the landing and embarking of passengers than the old dummies were?—The piers that I allude to are put in such a dangerous position that it is almost impossible for a pilot going down to avoid running into them. I have here the names of the different barges and vessels that have gone into those piers. As to the one at Milwall, a vessel, one foggy night, saw the outside of it, there was a light on it, and the vessel took that light for the inside shore, and she went inside of it, and carried away her mast.

4085. You passed a remark, from which I understood that you were not satisfied with Mr. Leech, as the engineer of the Conservancy?—I should say, from his having been under the old Navigation Committee, working with them, and from his being with the present Conservancy Board, and from seeing the result, I do not think he is a competent person. I only go from facts.

4086. Why do you hold that opinion; is he not attentive to his duties?—I do it from the very fact, that I had some intercourse with him some years ago, relative to this said pier, over the way, and when I found him dredging up the foundation, and not paying any attention, I do not think that man can be called a competent man.

4087. Not paying any attention to what?—To the very letter I wrote to Captain Burstal; Mr. Leach is named there; and then, again, there are those letters which were sent by Sir John Rennie, stating the evil effects of what they were doing.

4088. But I understood you to say that these letters always received consideration, and that you received answers?—Not those letters; those were sent to the Corporation, asking them to institute an inquiry, and it was a long while before I could get them to do it; at last it was put to the vote, and it was carried by a majority of one that there should be no inquiry, the Lord Mayor giving a casting vote.

4089. You see your evidence casts a reflection upon a gentleman holding a responsible office, can you state any single instance in which Mr. Leach, as the engineer of the river, has neglected his duty?—I do not think I have cast any reflections upon the gentleman, beyond making the observation, that I do not think they are competent for what they undertake. Mr. Leech may be a very clever man as an engineer, that I know nothing about; but as far as my judgment goes, he never should

should have allowed these things to have been done, which were condemned by eminent engineers. I do not intend to cast any reflections upon him.

4090. Mr. *Longfield.*] You judge of their competency by their works, I suppose?—Just so.

4091. Mr. *Lindsay.*] Then you know of no case in which either Mr. Leach or Captain Burstal have neglected their duties?—No; I cannot say that I know any particular case where they have neglected their duties any more than this, that I do not think it is their duty to put these things down.

4092. *Chairman.*] Your objection is not they are wanting in assiduity to their duties?—Decidedly not.

4093. But you think they are not sufficiently competent to their performance?—Yes.

4094. Mr. *Longfield.*] You judge of their competency by their performance?—I do.

4095. And their performance does not strike you to be judicious?—Just so.

4095.* Mr. *Locke.*] You put one set of scientific men against the other?—Yes, I do.

4096. Mr. *Longfield.*] The answers to the letters, to which you have alluded, you think were rather tardy and unsatisfactory?—Yes.

4097. And although the letter was tardy in coming, it was rather curt in its terms?—I believe it was.

Mr. Edward Shelbourne, called in; and Examined.

4098. *Chairman.*] You are, I believe, a partner in the firm of Shelbourne and Son, Lightermen?—Yes.

4099. Have you any other occupation?—We are Government contractors, stone and mud contractors.

4100. You are contractors for the removal of mud?—And soil and stone.

4101. In the river?—In the river.

4102. Are you a freeman of the Watermen's Company?—I am.

4103. I presume you are fully acquainted with the operation of raising and supplying ballast in the river Thames?—Yes.

4104. Do you consider that the monopoly enjoyed by the Trinity House, is in every respect satisfactory?—Not at all.

4105. In what respect is it objectionable?—In this way: First, I believe that the charges that they make are far too heavy; and next, I think it presses very hard upon the public and the contractors, that we should not have the power of supplying that description of ballast which is well suited to the vessel and to the owner. We are frequently asked to supply a certain description of ballast where vessels are taking dry goods in, and it has frequently occurred that the Trinity House have interfered with us, and prevented our doing so. I was applied to by two owners, one the owner of the ship "Winifred," and the other the owner of the ship "Strahdon." Those ships were very fine vessels; the owners, on a previous voyage, had taken in ballast supplied by the Trinity House, and on discharging the ballast again, they found that it had been injurious to the ships. One of them was an iron vessel, and the ballast being raised from the bed of the river, went on board in a wet and dirty state, as I shall be prepared to prove by the owners.

4106. Did you apply to have dry ballast?—Upon the second voyage of those ships I did.

4107. Did you do so on the occasion when you complained that the ballast was wet?—That was left with the owner; I did not put it on board on the previous voyage, the Trinity House did it.

4108. Do you know whether application was made to the Trinity House to supply dry ballast?—That I do not know, but I know it was not in their power to do it; their ballast being raised from the river is always wet.

4109. You know, in fact, that it was not done?—Yes.

4110. And the ship suffered in consequence?—Yes.

4111. In what respect?—One of the ships was an iron one, and it caused the iron to corrode. In the other case the ballast was full of small stones and sand, which run in the limbs of the ship, and being raised from the bed of the river it is always wet, it cannot be otherwise, and with the fine class of ships that are built now the shipowners find it very injurious. I believe I may state that the chairman of the Shipowners, Association of London, and Mr. Strang, will give evidence to that effect.

4112. I understand that you are of opinion that the supply of ballast should be left open to competition?—Quite so.

4113. And that the shipowners should be allowed to take that description of ballast which they consider best suited to their particular vessels?—Undoubtedly.

4114. Is the ballast now supplied by the Trinity House always easily and promptly obtained by the shipowner?—I believe not.

4115. Are you aware of any case in which a ship has suffered detention from not being able to obtain from the Trinity House ballast which they had demanded?—Yes; I know of one ship called the "Spectator."

4116. Did that ship suffer detention?—She did.

4117. For what period of time was she detained?—I have not got the particulars with me.

4118. Was it an hour or a week?—It was two or three days, I believe.

4119. What time of the year was it?—I think somewhere about August.

4120. Where was that ship proceeding to?—That I do not know. A great many ships come into the river at the fall of the year with timber, a very large and heavy description of vessel. The consequence is that there is a greater demand for ballast there than the Trinity House can supply. At those times they apply to the Conservancy Board, and also to private individuals to assist them; but at any other time if you ask permission, they will not allow you to put it on board. The gentlemen. I believe, who will come before the Committee will give the names of the vessels that have been detained.

4121. Are you acquainted with any other ship having been detained besides the "Spectator"?—I could not give the names of them, but it is a thing very general at that time of the year,

Mr. *E. Shelbourne.*

1 June 1863.

4122. You believe that a good many ships have been detained at that time of the year for want of the supply of ballast which they required?—Quite so.

4123. Is that time of year, the fall of the year, a time when it is particularly desirable that there should be despatch, inasmuch as in the Baltic and American Trade, the voyage is otherwise likely to be impeded by the ice?—Every day is of importance. I have a letter with me from a shipowner, which, with the permission of the Committee, I should like to read to them. It was published in the "Mercantile Gazette" at a time when I was publishing some letters upon this very subject, and he complains most seriously of detention.

4124. Does he sign his own name?—He does. "To the Editor of the 'Shipping and Mercantile Gazette.' Monday, March 23, 1863. Sir,—We have continued complaints respecting ballast in the Thames. In the fruit trade the vessels mostly leave this port in ballast, and during the season each day is of consequence. The uncertainty of getting the river ballast by the time ordered drives many vessels to ballast at Erith, and other ballast wharves, where they are obliged to take loam, which is not fit ballast, under the oranges. Again, the ballast supplied by the Trinity lighters is sometimes mud; in one case lately it was liquid mud, and although the Irishmen who form the crews of these lighters tried, with their native eloquence, to persuade the captain it was only a little wet at the top, and would soon dry, he very properly refused it, and, as he had a heavy passage out, most probably he saved his life and the ship by sending the lighter away. Again, the ballast supplied by the Trinity lighters is from 10 to 20 per cent. short of the weight vessels get at the ballast wharves. Again, we wanted to take out about 60 tons of ballast from a vessel that is going to load goods. For this we had to pay the Trinty House 5*l.* 5*s.* for the privilege only of putting it on board a vessel lying alongside, of course having to pay men for the labour as well. Again, if we have ballast in a vessel, and request the Trinity House to take it out, the detention is great, for they first of all send a surveyor to see that it is fit for them; if so, in time it is sent for; but if they consider it is not fit ballast, you may then get rid of it as well as you can; but if it consists of stone, and you want to sell it, you must then also apply for a permission to do so, and after it is surveyed, and found to be a certain size, the requisite permission is granted; but if it is not large, it is treated as ballast, and must be paid for if put on board another vessel. The shipowners feel much indebted to you and our respected friend Mr. W. S. Lindsay for bringing the question forward, and we trust, by the attention you are drawing to it, that an alteration will soon be made, for we think that some of the Elder Brethren ought to understand this question, and how prejudicially it acts in many cases to the interests of shipowners in this port. We are, Sir, your obedient servants, *Tatham & Co.*, Pudding-lane."

4125. Are they large shipowners?—I do not know them.

4126. Do the complaints mentioned in that letter concur with your experience?—Quite so.

4127. In every respect?—In every respect.

4128. Do you think, if facility was given to the shipowner of obtaining the ballast where he could, that he would obtain it cheaper than he does at present?—I am certain of it. I will give the Committee proof of it. At the present time, two vessels are dredging above-bridge, and they have to pay the Conservancy 200*l.* a year for that privilege; at the same time they are supplying to the contractors that may require ballast for building purposes at a less price per cubic yard of 23 cwt. to what the shipowners are paying 1*s.* 7*d.* for.

4129. Mr. *Locke.*] Paying to whom?—To the Trinity House.

4130. Mr. *Longfield.*] And is it a better quality?—A better quality, and cheaper in price.

4131. *Chairman.*] Have you yourself, in the course of your operations as a dredger, been applied to to supply ballast at a cheaper rate than the Trinity House could supply it?—Yes; I will give an instance: during the time this demand was made by the Trinity House, the Conservators and other private individuals were being paid at the rate of 8*d.*, 9*d.*, and 1*s.*, and sometimes as low as 6*d.* per ton, whilst the Trinity House was charging the shipowners at the further rate, 1*s.* 7*d.* Again, the Conservators raise it, and put it into their barges, I think I am right in stating for 2½*d.*, and the lighterage costs them 8*d.*; that is 10½*d.*

4132. Supposing the supply of ballast were thrown open to competition, would not the shipowner be occasionally inconvenienced by the circumstance that the price would be low when the demand was slack, and excessive when the supply was limited and the demand great?—I think not, because I have proved to the Committee, I think, at the time the demand has been so great at the fall of the year, when we expect to have more ballast required, at that very time they have been buying it of the Conservators and private individuals at 6*d.*, 9*d.*, and 1*s.*, when they have been getting a further price themselves.

4133. Have they not themselves been getting ballast out of the river?—Yes; but they cannot get it in sufficient quantities to supply the ships.

4134. Do they supply it at a uniform rate?—Yes.

4135. Have you reason to know that they occasionally supply at a higher rate than they purchase it at?—I know it. I am certain that they supply at a higher rate than they purchase it at.

4136. On all occasions?—On all occasions.

4137. Then do you imagine that the profits of ballastage are very great?—I think the Trinity House made a return of pretty well 9,000*l.* a year upon the profits.

4138. Do you know to what fund that profit is carried?—I believe it is stated that it goes to the Mercantile Marine Fund.

4139. Are you of opinion that there should be no profit at all on raising ballast in the river for the purpose of supplying ships?—I think not. I think that the Conservators and those persons who are dredging, the Conservators more especially, would save a great deal of money if this monopoly was thrown open, and the shipowner would benefit by it as well.

4140. If the shipowner could obtain his ballast at a cheaper rate than he does now, the present mode operates as a tax upon the shipowner, does it not?—Quite so.

4141. You say that you are aware that the profits of the ballastage are paid over to the Mercantile Marine Fund?—I believe that is the case.

4142. Are you aware that there are certain charges for the ballastage connected with some old

old charitable institutions which were abolished in 1854?—No, I am not.

4143. Did you not pay a fine for infringing the Act of Parliament connected with ballastage?—I did.

4144. Will you explain the circumstances of that?—If the Committee will permit me to read a letter, that will explain it. I should first state that the owner of the ship wrote to the Chairman of the Board of Trade asking for inquiry into the matter, as he there states that he distinctly ordered us to put on board stone ballast, and not ballast supplied by the Trinity House; the Chairman wrote to the Trinity House requiring some information on the matter; they wrote him back stating that I had not put on board stone ballast, but dirt, gravel, and clay; I then published this letter in answer:—

"Sir,—We have had laid before us a copy of the letter forwarded to the President of the Board of Trade by the Honourable Trinity Corporation, in which they impugn some statements we made in a letter addressed to W. S. Lindsay, Esq., M.P., with regard to stone supplied and put on board ships "Winifred" and "Strathdon" by us. We again assert the truth of our remarks, and most positively deny shipping either clay or gravel, as, we venture to hope, the enclosed letters from the owners of both vessels will prove to your satisfaction.

"We admit having shipped this stone as duty free goods, and finding that it had to be discharged, obtained a Customs permit to cancel the shipment, but are still under the impression that such stone, not being taken from the river, or having any affinity with river ballast, does not come within the meaning of the Act.

"Our reason for compromising an action with such a powerful body for such an amount as 2,000*l.* and costs upon an untried question will be easily understood by yourself and the public.

"The Trinity Corporation endeavour to show that under the present system of ballastage the shipping obtain their ballast at a less and more uniform rate, and that the removal of shoals and obstructions by the Corporation tends to improve the navigation of the river. As regards the supply of ballast we may state that during an influx of shipping (to which they refer in their letter) they were compelled to seek the aid of private firms and the Conservancy Board to assist them out of their dilemma. So far from the shipping gaining in price by the Corporation holding this monopoly, we know it for a fact that they purchased ballast at the rate of 1*s.*, and frequently as low as 8*d.* per ton, while obtaining 1*s.*, 1*s.* 3*d.*, and 1*s.* 7*d.* for the same material.

"With respect to the improvement of the navigation, we beg to draw your attention to the fact that the Conservancy Board have at present two dredging engines constantly at work, and put themselves to great expense in having to land the ballast so raised above high-water mark, when the same might be used with great advantage for the ballasting of colliers in the pool.

"It is further urged that in the event of private firms being allowed to dredge for ballast, they would raise it from such parts as did not require deepening. Permit us again to refer them to the Conservancy Board, who have the control of the navigation above bridge, and who will state that not only are they paid considerable sums by private firms for the privilege of raising gravel, &c., but compel them to dredge in such parts of the river as the Conservancy deem fit.

"We hold the opinion with shipowners that they should have the option of choosing that description of ballast they think will best answer the purpose required, and not be compelled to accept any description the Trinity Corporation choose to supply them.

"In conclusion, we think so gross a monopoly demands the fullest investigation, and we venture to predict that a committee of mercantile men would no longer sanction the existence of such an unjust institution.

"I am, &c.
Wm. Shelbourne & Son,
38, Fore-street, Limehouse,
March 21, 1863."

4145. Mr. *Lindsay.*] Will you describe to the Committee the process which the shipowner requires to go through when he desires to have ballast supplied to his ship; does he apply to persons such as yourselves in the first instance?—The London shipowners mostly do.

4146. Is it part of your business to supply ballast?—It is.

4147. Does the shipowner send an order to you to this effect, saying, that he requires put alongside of his ship, for instance, 300 tons of ballast?—Yes.

4148. What do you do on receipt of that order?—I go to the Trinity House and pay an amount at the rate of 1*s.* 7*d.* per ton for the 300 tons.

4149. Are you required to pay the money before you are supplied with the ballast?—Yes, before we get any.

4150. As a rule, how long, after the Trinity House receive the order, is it before the ballast is alongside the ship?—Sometimes it is 24 hours.

4151. Is that about the average length of time?—It depends entirely upon the demand they have for it; sometimes it is longer.

4152. How is it sent to the ship?—By lighters.

4153. How many tons of ballast does each lighter contain?—60.

4154. Where is that ballast obtained from?—Down the river at Erith.

4155. Is it obtained from the shore?—No, from the deepening of the river.

4156. Have you known many instances where a ship has been detained longer than 24 hours before the first lighter has laid alongside?—Yes, in September 1862, the ship "Alboni" was detained about 10 to 12 days before obtaining the whole of her ballast. I know of very many cases; but I have not the names of the ships with me; but the owners of those ships will come forward themselves.

4157. Can you furnish the Committee with the names of those ships?—I will endeavour to do so.

4158. Do the Trinity House continue the supply until the whole 300 tons are sent alongside?—Not at all times.

4159. There are sometimes intervals?—There are sometimes intervals.

4160. So that the ship, after she has got a portion of her ballast on board, has very often to wait some time before she receives the remaining portion?—That is the case in many instances; a ship may take in perhaps 100 tons in a day, perhaps only 50.

4161. Suppose this monopoly was abolished, and the shipowners applied to you direct, in what

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time from the receipt of the order could you send a lighter alongside?—If the monopoly was thrown open, we should then always have ballast waiting for the ships in either dock, so that the ship would have to wait very little time indeed; but now it is no use our doing it, because we are not allowed to put it on board.

4162. Then, in fact, if a shipowner sent to you an order for 300 tons, you could have a lighter alongside as soon as the dock-gates were open?—Yes; or we should in that case keep it in the dock.

4163. You say that you are also a contractor for the removal of mud, stone, and gravel from the river; if you have stone or gravel in any way suited to a ship, are you allowed to ship it?—No.

4164. Is there no means of your obtaining power to sell it to the shipowner?—Not if the stone is a little small.

4165. Suppose the shipowner had seen the stone, and that he was perfectly well satisfied with it as ballast for his ship, would you not be allowed to supply it in that shape?—No.

4166. Must the Trinity House view it and inspect the ballast?—They must.

4167. And must the shipowner receive the approval of the Trinity House before he is allowed to buy that ballast?—He must.

4168. What process does he then go through?—We have to give an intimation to the Trinity House that a certain ship, mentioning the name, is desirous of taking a quantity of stone ballast; they immediately make you write in a book "large stone;" that is to say, such stone as china shingle ballast as large as my fist; that is considered too small, although the owner might say it was just the description of ballast he wanted; the Trinity House would say it was too small, and would not permit it to be put on board.

4169. For instance, if you have a quantity of ballast on shore, and that ballast was in every way suited for ballasting ships, would you be allowed to supply that ballast to a shipowner?—On no account.

4170. Not even by applying to the Trinity House for permission?—No, they would not grant us permission.

4171. Do you know the reason why they would not do so?—Because their Act states that all ballast shall be supplied by the Trinity House.

4172. I understand you to say that, before going through a certain process, you have to obtain the approval of the Trinity House as to the supply of ballast for ships?—Yes.

4173. I understand you further to say that the Trinity House require their approval of the ballast?—Yes.

4174. Then, before you can take it on board, must you have a permit from the Trinity House?—Yes.

4175. Are you required to pay anything to the Trinity House for the right of shipping that ballast?—No, not if it is large stone.

4176. Can you ship the other description of ballast upon making a payment for it?—No.

4177. Then you are prohibited from shipping that under any circumstances?—Under any circumstances.

4178. Do you know the reason why?—Only the monopoly.

4179. Mr. *Locke.*] Why should the monopoly apply to small ballast and not to large?—Their Act states all ballast; that is to say, kentledge would actually come within that term, if they thought proper to refuse the owner of a ship taking in kentledge's as ballast, they could do so. I took counsel's opinion upon it.

4180. *Chairman.*] What do you mean by kentledge?—It is iron, pig iron, or made from pig iron; it consists of square blocks of iron of about a foot or six inches.

4181. Mr. *Lindsay.*] Are you employed as contractors for removing large quantities of rubbish from buildings on shore contiguous to the river?—Very frequently; I have done it for Government.

4182. What do you do with it?—We are bound to land it above the Trinity high-water mark at the Royal Arsenal at Woolwich, there is a jetty running out which we call the T pier; I took the contract there to deepen it during the time of the Crimean war. At that time I was getting good and clear clean ballast of the same description, or a little better than the Trinity House was raising; but I was compelled to land it above Trinity high-water mark; whereas, if the monopoly was thrown open, I could have put that ballast on board vessels, and have taken a contract at one-fourth less the price at which I was doing that.

4183. Mr. Alderman *Salomons.*] You mean that you were obliged to put it on shore instead of on board ship?—Yes.

4184. *Chairman.*] Was it ballast well suited to ships?—For small coasters, it was just the same as the Trinity House supplied.

4185. When the Trinity House send lighters alongside the ship with ballast in it, is the shipowner compelled to take that ballast?—I do not see what remedy he has.

4186. Supposing he finds the ballast very wet, and liable to be injurious to his ship, is he constrained to take it, or can he reject it?—He is compelled to take it. He has paid his money; the monopoly is in the hands of the Trinity House; there is no one else that he can take it of.

4187. Could he not represent to the Trinity House that the ballast was unsuited to his ship?—We have done so.

4188. And what was the result?—They said, we cannot help it; there is our ballast, and you must take it.

4189. It does not do to detain a ship, I suppose?—No; that would be of very serious consequence.

4190. Mr. *Locke.*] You have not explained why the Trinity House allow you to put on board large, and not small ballast?—I cannot explain it. I do not myself know the reason why they should allow us to put in very large stone, which at times is not fitted to stow cargo upon; such as casks of beer, for instance.

4191. *Chairman.*] Are you sure of the fact?—Certain; there is the case where I put the stone on board the "Winifred" and the other vessel. They entered an action against me, and I was obliged to compromise it.

4192. Mr. *Locke.*] Do not they raise the large ballast themselves?—No, nor the smaller stone; they raise what is called a wash ballast; it is not dry, neither is it fit to put in a ship that is going to have light goods in her.

4193. Then, according to you, they do not raise anything that is fit?—Only what is fit for coasters.

4194. And not fit for large ships?—No.

4195. Mr. *Lindsay.*] How many tons of ballast do you supply to shipping in the course of a year?—I think something like 20,000 tons.

4196. Do you send the ballast alongside in your own lighters?—No; we are not allowed to do so.

4197. *Chairman.*] What lighters are made use of?—The lighters belonging to the Trinity Corporation.

4198-9. Mr. *Lindsay.*] Do you heave it into the ship by your men?—Yes.

4200. It is stated in this letter which you read to the Committee that the ballast supplied by the Trinity House was from 10 to 20 per cent. short. Do you mean by that, that the Trinity House give short weight?—I should imagine so by that letter.

4201. Do you know it of your own knowledge?—The lighters are all marked; they were marked when they were new; they were very heavily built, and there is a great distinction between the upper and lower floors; the consequence is, after they have been built some time, a good deal of water and dirt runs underneath the floor timbers, which may make some difference in the weight.

4202. *Chairman.*] So that the vessel appears to be deeper in the water, from the ballast, than is actually the case?—Yes.

4203. Mr. *Lindsay.*] Have you been applied to by a shipowner to transfer ballast from one vessel to another?—Yes.

4204. What process is gone through on such an occasion?—We have to make application to the Trinity House, and upon paying certain fees they permit it.

4205. What fees?—Sixpence per ton, I think it is.

4206. And it is only after paying those fees, and receiving the permit, that you can make the transfer?—That is so; although the ballast has been, in the first instance, purchased from the Trinity House.

4207. If you have a case of the kind in hand, you send a clerk, I presume, to the Trinity House, asking permission to make the transfer and paying the 6*d.* per ton?—Yes.

4208. Then do they get the permit at once?—Yes.

4209. They do not, in that case, go and examine the ballast?—No; because it has previously come from them; but the two ships must belong to the same owner, otherwise they will not grant it.

4210. In no case?—In no case.

4211. Then ship A, for instance, wishing to supply ship B cannot do it unless they belong to the same owner?—No.

4212. What process must the owner of the ship B go through in regard to the use of his ballast?—He applies to us generally, for which we have to charge for taking it out; or he applies to the Trinity House, and they charge him, and then they immediately place it alongside the next ship, and then charge again for it.

4213. What do you do with it?—We sell it as we best can.

4214. To whom do you usually sell it?—To small builders, for contract-work.

4215. Would not the Trinity House become buyers of it?—No.

4216. They would not take it from you?—No, not from us.

4217. Not even if there was a great demand for ballast at the time, and they required ballast for ships?—They have done it then, paying us the minimum price.

4218. What price?—Eightpence, 9*d.*, or 1*s.*

4219. Delivered alongside their ships?—Delivered alongside.

4220. If this monopoly was abolished, do you think that you, as a contractor, would greatly increase your supply of ballast to ships?—Yes; I think where the demand was there would always be a supply, if the monopoly was done away with.

4221. *Chairman.*] Would you place the dredging under the care of the Conservators below bridge, as it is now above bridge?—Decidedly so.

4222. Do you think the interests of the river would be sufficiently protected by such a regulation?—Undoubtedly.

4223. Then your plan, I apprehend, is this, that the getting and supplying of ballast should be perfectly free?—Yes.

4224. But that the Conservancy Board should direct the operation of dredging?—That is so.

4225. Do the Conservancy Board now dredge a good deal in the river?—They do.

4226. How do they dispose of the stuff which they bring up from the bed of the river?—Just the same as ourselves; they are precisely in the same predicament.

4227. Do they occasionally dispose of it to the Trinity House?—Occasionally, when there is a great demand.

4228. The Conservancy Board being required to remove shoals on the river, whether they can get rid of the stuff which they raise or not, would they not generally be in a position to supply ballast to ships a great deal cheaper than the present rates at which it is supplied?—Yes.

4229. Generally, I presume, they would be enabled to supply it cheaper than any other parties?—Not cheaper, I think, than a private individual, if the raising of it was thrown open.

4230. If it was thrown open, I suppose you think that the shipowners would go to the men who supplied it cheapest?—Yes; they would go to those who supplied the best and cheapest.

4231. Mr. *Lindsay.*] If it is thrown open, would your firm apply for a license for the dredging of ballast?—Yes; I think so, if it was necessary, which it would be.

4232. Do you think there would be many applications for that right under certain restrictions?—I think so.

4233. Mr. *Cave.*] Is there a great variation in the charges of the Trinity House for ballast?—No.

4234. Is it always charged at the same rate?—Yes.

4235. Mr. Alderman *Salomons.*] Do I quite understand you that there is no other way of supplying a ship with ballast except by having it fresh dug in the river?—Yes; we could take it from the shore if the Trinity House would allow us to do it.

4236. But the actual state of things in London is this: that ships cannot now be supplied with ballast except it is dug fresh for them. Is that so?—It is; several of the smaller vessels can go to the wharves; but that is nothing in comparison to the quantity that is dug from the bed of the river.

4237. How do the small vessels get their ballast?—It is dug from the pits at Erith or Purfleet. There is a jetty run out, and the smaller vessels go alongside that jetty.

4238. But in a general way it must be dug for?—Yes.

4239. You know that there is a bed of shingle being dug at Deptford, where the sewer is, is there not?—Yes.

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4240. Will there be no means whatever of using any of that for ballast on board ship?—Yes, if the trade was thrown open.

4241. But now?—No; you cannot use it now.

4242. Would that be dry ballast, very fit for ships?—Yes.

4243. *Chairman.*] Do I understand you to say that the Trinity House object to the use of iron ballast?—I say they can do so under their Act. I do not say that they do.

4244. Are there not many steam colliers now using what is called water ballast?—Yes.

4245. Do the Trinity House object to that?—No; they cannot interfere with taking water on board, because they take it on board as they get under way, and go down the river.

4246. Mr. Alderman *Salomons.*] Are not ships that come here in ballast very often detained in getting rid of their ballast?—Yes; a contractor has the privilege of taking it out of the ship, but he has not the privilege of supplying it.

4247. Is not this monopoly very much maintained by the Trinity House because the men in their employ are very much better taken care of?—Undoubtedly not.

4248. *Chairman.*] Would it not be possible to take as much care of the men under a free system as under the Trinity House system?—Certainly; I have sometimes as many as 200 men under my charge, and I flatter myself that we take as much care of our men as they do of theirs.

4249. When we are speaking of taking care of the men, we speak of men who were suffering under some of the worst evils of the truck system?—Such a thing as the truck system does not exist now.

4250. Mr. Alderman *Salomons.*] Are your men paid according to a fixed standard?—They are paid per ton.

4251. By piece-work, in fact?—Yes.

4252. Mr. *Cave.*] When you say that private individuals could supply ballast cheaper than the Trinity House, you refer to the average time during the whole year, I suppose?—Yes.

4253. Mr. *Longfield.*] As I understand the matter now a shipowner is in this position, he can only apply to one body for ballast, and he must take whatever ballast they choose to give him?—Yes.

4254. And that ballast is raised as it is wanted, and goes, with all its imperfections of mud, dirt, or anything else that may be mixed with it?—Yes.

4255. Whatever is raised from the river is thrown in as ballast, in fact?—Yes.

4256. Although it may be of the most improper kind, the applicant has no option but to receive it?—No.

4257. And he pays dear for it?—He does.

4258. He may have to wait for it?—Yes.

4259. And cannot get rid of it?—Not to ship again as ballast.

4260. He therefore has all the evils of a monopoly, without a single choice on the kind of produce supplied to him?—Quite so. I must explain that there is a description of ballast called "wash ballast," that is to say, they pretend to wash the impurities out of it; but you have to pay 2*s.* 10*d.* a ton for it alongside.

4261. *Chairman.*] Do I understand you to say that ballast cannot be made use of a second time?—Not as ballast.

4262. If my ship come into the port of London, with a quantity of ballast in her, and I want to make use of ballast to take her out again, am I not permitted to retain that ballast?—Yes.

4263. But I must not transfer it to another ship, is that what you mean?—Not belonging to another owner.

4264. If I want to do so must I pay the Trinity House to get rid of it?—Yes.

4265. Mr. *Ewart.*] If the trade was thrown open, would you keep a sufficient stock of ballast to meet the general demand?—The contractors would amongst them.

4266. Which is not the case now, I think?—No, it is not; they have frequently to wait for it.

4267. Mr. *Longfield.*] Is there any benefit that you can conceive attendant upon the Trinity House having this monopoly, either of uniformity of price, certainty of supply, excellency of matter, or benefit to the persons employed?—I never saw any benefit from it myself.

4268. Mr. *Ewart.*] Would you be able to supply ships with ballast cheaper if the trade was thrown open?—The two engines which are working above bridge now are supplying at a less price to the builders round than the Trinity House are charging.

4269. You mentioned something about the ballast which the Trinity House would not allow to go on board, although it was suitable for the purpose for which it was required, why is that?—Because it is not large stone ballast.

4270. *Chairman.*] Do they define what they mean by large stone ballast; is there any precise definition given of it?—No, they make their own definition of it; they send a man down, and if they consider it a little smaller than they think it ought to be they refuse permission to put it on board.

4271. Are you a member of the Watermen's Company?—Yes.

4272. You are not favourable to the maintenance of the monopoly of the Trinity House with regard to ballastage?—Certainly not.

4273. What do you say as to the monopoly that is exercised by the Watermen's Company?—I do not know what monopoly there is. As far as the Master is concerned, I think it can be easily understood. I think persons should serve an apprenticeship to the Watermen's Company before they are permitted to navigate barges on the river. Anyone can be a master lighterman, that is to say, he can have craft, and lighter for anyone, but he is not the man who has to navigate the barges; it is the men he has to employ.

4274. It is only in regard to the men that the monopoly is exercised, then?—Quite so.

4275. Is it not necessary that a man should be a member of the Watermen's Company, wholly irrespective of his capacity to navigate a barge?—No; I do not see that at all.

4276. Supposing a barge comes into the river, beyond the precincts of the Watermen's Company, navigated by men in whom the owner of the barge has confidence, and whom we may therefore presume to be competent for the navigation, are those men permitted to continue to navigate, when they come within the jurisdiction of the Watermen's Company?—No, they are not.

Lunæ, 8° *die Junii*, 1863.

MEMBERS PRESENT:

Mr. Cave.
Mr. William Cubitt.
Sir John Hanmer.
Mr. Hankey.
Mr. Hutt.
Mr. Lindsay.
Mr. Locke.
Mr. Longfield.
Mr. Alderman Salomons.
Mr. Shafto.

THE RIGHT HON. WILLIAM HUTT, IN THE CHAIR.

Mr. THOMAS PILLOW; called in, and Examined.

Mr. *T. Pillow.* 8 June 1863.

4277. *Chairman.*] What is your occupation?—Lighterman and wharfinger.

4278. Do you carry on any other occupation?—I am a corn granary keeper, and a barge-builder I call myself, as I build my own barges.

4279. Are you also a member of the Watermen's Company?—Yes.

4280. Do you fill any office in connexion with that company?—Yes; I am on the court, and this year I am the senior warden.

4281. You are, I presume, conversant with the traffic on the River Thames?—Yes; I have been engaged on the River Thames rather over 50 years.

4282. How long have you been a member of the Watermen's Company?—I took up my freedom in 1823; that would be 40 years.

4283. You are, no doubt, acquainted with the Thames Conservancy Board?—Yes.

4284. Do you think that that Board has rendered good service to the trade and navigation of London by the manner in which it has managed the river?—I think it cannot be denied that they have done some good service.

4285. Have you any ground whatever for dissatisfaction as to the manner in which they have discharged their duties?—I think it might have been done somewhat better in other hands possibly; that is, by persons interested in, and in connexion with, the waterside business. I think they would have done something more effective, perhaps, or rather, it would have been done to the satisfaction of those who are interested in the trade on the banks of the river.

4286. Are you of opinion that, if the Board had contained persons who represented the interests on the waterside, it would have been more satisfactory?—A great deal more satisfsctory, I am quite sure of that. It is quite possible, although it is composed of such persons, a good deal would have been done which had been done by the present Conservators; still it would have been more satisfactory to the minds of the public generally, and to those interested in waterside business.

4287. Then I understand you to say, that without challenging at all the manner in which the present Conservancy Board has conducted their business, you think it would be more satisfactory to those who are interested in the traffic of the River Thames if they had some representatives on the Board?—That is what I mean.

4288. What would be the nature of the representation that you would be prepared to recommend?—If the Committee would allow me to state my view, it would be this: I should say that the Admiralty should have one member, the Board of Trade one, the Trinity House one, the Court of Aldermen one, the Court of Common Council two, the Shipowners two, the Wharfingers two, the Watermen's Company two, the Steamboat Companies, perhaps, two; and then you might appoint the Lord Mayor, if you chose, as one to make up fifteen: perhaps, also, the Dock Companies might be represented; I would say two for them.

4289. A portion of the property to which you have adverted is taxed for the purpose of maintaining the works that are necessary on the river; is that so?—Yes.

4290. That is, the shipowners?—The shipowners.

4291. Do you think it would be desirable that other property represented on the Board should be liable to a tax for that purpose?—Yes; I think a nominal tax might be approved of generally, and perhaps ought to be exacted.

4292. Do you think that such a proposition would be generally satisfactory to those who are interested in property on the waterside?—I think it would, provided they were represented.

4293. Can you speak with regard to the corn trade upon this subject?—I am persuaded that the corn trade would fall in with the suggestion which I have been permitted to make.

4294. You propose to give two representatives to the Watermen's Company; do you think the Watermen's Company would be satisfied to give up the monopoly which they now possess in the navigation of the river?—That is a question which requires some consideration, because I believe it is not so much a monopoly as is generally supposed.

4295. You must be well acquainted with the powers granted to the Watermen's Company by Act of Parliament, and the manner in which those powers are carried into effect: will you state them to the Committee?—In regard to licensing the men, I think that is a great improvement on the old Act of Parliament.

4296. What was the arrangement in that respect under the former Act of Parliament?—We had no regulations for licensing men; they were not licensed by us at all under the old Act.

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Under the present Act they undergo an examination by our court, and on approval, they are passed as men competent to carry on their occupation on the river.

4297. Although they are not freemen of the company?—Those that I am now speaking of are freemen. Freemen are admitted in this way: in the first place a master, if he approves of the conduct of a man, puts down his name as being satisfied with his services during his years of apprenticeship; he then comes forward to take up his freedom, undergoes an examination by the court, and if he is qualified or competent in other respects, becomes a member of the company; that is the usual process. Since the Act has been in operation, I think there has been a great improvement; and it works well, as far as my judgment goes.

4298. Have a great many persons received these licenses?—Yes, most that have served their time; and I may tell the Committee that there has been a very great increase in the number of apprentices since the last Act came into operation.

4299. Can you state what the number of freemen now is?—The number of freemen licensed is about 5,000; and there are about 1,200, perhaps, that have not been licensed, that is, who have not applied for licenses. Perhaps they are not engaged in the occupation of watermen or lightermen; so there would be something a little over 6,000 altogether. The apprentices to be bound I guessed about 400 a year for the last three years. I find, by referring to the books, that the average for the last three years was 398 each year; so that the last three years would have added 1,200 apprentices, therefore there need be no complaints of our limited numbers.

4300. Mr. *Locke.*] How many liverymen are there?—Our company does not give the livery; in order to obtain the livery, we are obliged to belong to other companies.

4301. Then the being a freeman does not give a vote?—No; it does not give a vote, or the freedom of the City.

4302. *Chairman.*] I find, in the evidence which you gave before the Royal Commission in December 1853, you stated that the freemen of the company were 7,700?—Yes, that might be so.

4303. Then they have considerably diminished since that period, have they?—They were not licensed at that period; the numbers given were those on the books of the Company, but on new registry many were found to have died or gone abroad, but in fact the freemen, as well as apprentices, have largely increased.

4304. A large number of those freemen were not licensed, then?—No, we did not grant licenses in those days, so we were obliged to guess at the number of persons, and a great many of those were not employed at all on the river. When the free-trade principle began to act upon the trade of London, there was so large an influx of the trade at once that we felt ourselves rather limited as to help; but we have found no scarcity of numbers since, on account of the improvement in the apprentices. Under the old Act one freeman could only have one apprentice at a time; now he can have half a dozen if he likes, if he has employment for them; I think last month we bound no less than 57.

4305. I suppose you are satisfied that the evidence which you are now giving is correct as to numbers?—As to numbers I am, because I have referred to our clerk, and he has ascertained the numbers for me which I now give; the average number bound was 398 during the last three years since the Act came into operation.

4306. What is the number of registered barges on the river?—About 6,000, in round numbers.

4307. Is this an increasing description of traffic?—I think it has increased lately, but not very much.

4308. Is the supply of lightermen adequate to the demand?—There are plenty now; there are a great many whom we only employ occasionally; we need supernumerary hands, as a large arrival of ships, to discharge which require many more men than we regularly employ, so that we are glad to lay hands upon extra men. There are a great many men who have no regular employment, and it is convenient for us to have men whom we can easily get: there are a number of freemen employed at labouring work and at other employment besides lightering, there not being work enough for them; but when we want them they rise up like magic, and we find plenty of hands.

4309. Do you consider that the control which is exercised by the Watermen's Company over these lightermen and watermen is absolutely necessary for the safe navigation of the river?—I do think so, because we are ourselves practical men; and we know well the nature of their occupation, and best know how to adjudicate when complaints are made to us.

4310. Supposing that another body, competent as the Watermen's Company, from their experience in matters relating to the navigation of the river, were to undertake that control, do you not suppose they could exercise those powers equally as well as the Watermen's Company?—I am quite sure they could not, because they would not understand the nature of the business which is done on the water in navigating craft.

4311. Supposing a lighter was coming from beyond the jurisdiction of the Watermen's Company, and going without it (that is, passing through the whole of that section of the river which is within the jurisdiction of the Watermen's Company) that lighter can be navigated by any one whom the owner could put on board, could it not?—Quite so. Do you mean coming east or west, down the river, or otherwise?

4312. Say, full down the river?—There are very few craft now coming down the river, and when they have come down they usually choose one of our men to navigate them through the bridges; they almost always employ one of our men. The large species of craft have disappeared, in consequence of the railway traffic; there are very few western barges employed now upon the river.

4313. Still it is open to the western barges to pass through that portion of the river without having any recourse to the Watermen's Company, is it not?—Quite so, but then they have simply a cargo to take to a certain spot, and discharge; it is not like working within the limits, where they make such short distances as we do.

4314. Suppose that the labour were thrown open entirely, do you apprehend that any evil would result from it?—Yes; I think it is absolutely necessary that you should retain certain regulations; otherwise men would present themselves who would be incompetent to manage craft.

4315. Would you, as a lighterman, employ on board one of your lighters men who did not furnish you with proofs of competency to navigate

gate that lighter?—I certainly should not; but if you were to employ some one who you thought was competent, you would be very likely to have a man who would do you some injury and be an obstruction to others.

4316. The owner will be liable for any injury, will he not?—Just so.

4317. Do not you think, in fact, that the principle of self-interest will always induce the owner to employ competent men?—Yes; we should always choose our own men, knowing them to be competent.

4318. Then if, in addition to the security which is obtained by the self-interest of the owners of lighters, you had also a Board of Conservators generally regulating the traffic of the river, do not you think that would suffice for its safe navigation?—I think they could be much better employed in other ways than in meddling with the regulation of our men upon the river.

4319. Did you ever hear the monopoly exercised by the Watermen's Company complained of?—I have heard complaints, but it has generally been from those who did not seem to know much about the matter; I fancy they would be sure to employ the hands that we supplied. I quite think that it is desirable to make everything as open and as free as possible; but we cannot make everything free, in my opinion. We talk of the corn-trade being made free; it is free to the satisfaction of the public, so far, but it is not free, because there is a nominal duty upon corn of 1 *s.* per quarter, so that it is not perfectly free; therefore, although we advocate free-trade principles, we cannot carry them out to the fullest extent. I think there must be rights maintained, such as exist with respect to solicitors: they have their exclusive claims, so have the medical profession and others; and although our men are an inferior class of men, still I think their skill is needed upon such a river as the Thames.

4320. You think that some security must be taken for the competency of the men who offer themselves to navigate the river?—I do.

4321. But could not that be obtained otherwise than by the monopoly which is exercised by the Watermen's Company?—I do not deny but it might, but I do not see how.

4322. Do you find any body like the Watermen's Company upon the other great commercial rivers of the country?—No, but I do not know any river at all like the Thames; I do not think you can compare the Thames with any river in the United Kingdom.

4323. In what respect do you observe so great a difference?—There is so large a number of barges and boats used upon the Thames, much larger than upon any other river that I know of, and they are constantly moving; and if they are not well navigated, they may very much impede the passage of vessels and ships. You want the most skilful men you can have to carry out the good and safe navigation of such a river as the Thames.

4324. Do you think that proficiency is only to be attained by the agency of a company like the Watermen's Company?—I think men need training, and they must be trained by experience; we have found that the earlier they begin the better hands they make. Our best hands are those boys that have dabbled in the water almost as soon as they could run alone; and although it may appear to the Committee that it does not require much skill to manage a barge, yet in navigating through the bridges it requires a good deal of judgment to steer clear.

4325. How long does it take to make a young active man a good navigator on the Thames?—Two years, if he is at all clever, would make him a good hand; yet he would have much to learn.

4326. Do not you think that if good wages were offered to young men, unfettered by any monopoly, to induce them to proffer themselves as navigators, that would operate as sufficient, in point of fact, always to supply the demand?—That might be, but it does not appear to me to be possible without previous training.

4327. Do you find that you work harmoniously with the Thames Conservancy Board?—Yes; we have never had a collision with them at all that I am aware of. We have had communications not unfrequently, and we have always given them the best information we could: I have never heard that they have complained of our conduct or carriage towards them. We have always considered them a Board to whom our men could appeal in case we withheld a license from them.

4328. Have you found the appeals which you have made to them receive satisfactory attention?—Yes.

4329. On all occasions?—Yes, on all occasions.

4330. Do you think that the funds at the disposal of the Conservancy Board have been judiciously laid out?—I think several of the piers have been too costly; I think they might have made piers less expensive, and that would answer every purpose. For instance, the other day we went to the Lambeth Pier; I think that is one of the least expensive piers the Conservators have erected. If that pier had been made just below the new bridge, leading from it, I believe it would have answered a much better purpose, and so with several of them.

4331. By the new bridge do you mean Westminster Bridge?—No, the one next to Lambeth pier. In my opinion, a pier from the bridge-piers would be superior to any other; there would be less obstruction, and there would be two sides to the pier, so that a boat could be on each side; and as to the passengers from the boats, it would be very convenient for them to get on the pier. Even at London Bridge I do not see why piers should not be made from the shore piers at each end.

4332. From the piers of the bridge?—Yes; because then it would save some 10,000 miles a year for the public, taking the aggregate, to tread over. It is a long way to Allhallows Pier; but if you went from London Bridge and got on to the pier at once, a great deal of time would be saved.

4333. Do you apply that remark to all the piers that have been erected by the Conservancy Board, that they would be better if attached to the bridges?—Where there are bridges conveniently built for the purpose, I think it would be less expensive.

4334. Are you of opinion, then, that the landing-place at Fenning's Wharf would have been better if it had been attached to the bridge?—Yes, I think it would.

4335. Mr. *Locke.*] Do you mean similar to what it was at Southwark Bridge?—Yes.

4336. How was it at Southwark Bridge, will you explain to the Committee?—At Southwark Bridge it was placed in front of the pier; that would be on the western side, the pier the bridge stands on.

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4337. Sir *John Hanmer.*] So that from the middle of the bridge you went down some steps to the landing-place?—Yes.

4338. Mr. *Locke.*] Why was that discontinued; it was in operation for some time, was it not?—Yes; but Southwark Bridge is rarely used as compared with the other bridges; being a toll-bridge, there are few passengers.

4339. If I recollect rightly, you paid no toll when you landed at the pier, did you?—No; passengers paid a toll.

4340. Therefore, the payment of toll could not have interfered with it?—What I mean is, that the traffic on that bridge is so much less than it is at London or Blackfriars.

4341. At Southwark Bridge there was a dummy, was there not?—There was.

4342. Which stood out straight, horizontally to the bridge, did it not?—Yes.

4343. You landed upon that, and then there was a staircase made within the bridge; it being an iron bridge, and all open, there was no difficulty in making it in that way?—Yes; the stairs were outside.

4344. How could you propose to do that at London Bridge, where it is a stone pier all the way down: you could not go inside of that?—No.

4345. How would you go outside?—You might have a platform outside, which might be made ornamental.

4346. And you would land on the dummy, and go up through the platform on to the bridge?—Yes.

4347. Do not you think, at a place like London Bridge, with an immense traffic upon it, it would create the greatest possible inconvenience that you should have, in the middle of the bridge, a landing-place for steamers?—You do not understand me; I should start from the stairs.

4348. What stairs?—The stairs at the bridge on the City side.

4349. You do that now on the south side, do you not?—Yes.

4350. *Chairman.*] That is the case at Fenning's Wharf, is it not?—I do not know that it would answer so well there, but it was on the same principle; you might have a platform outside of the bridge.

4351. Mr. *Locke.*] There is the same thing you speak of at Hungerford, is there not?—Yes, there is.

4352. *Chairman.*] Supposing there was no engineering difficulty in putting up such a construction as you have described, what advantage do you see in that plan over the one that has been adopted by the Conservancy Board?—The advantage would be this, it would be so much nearer to the general traffic. The passengers would go straight down from the foot of the bridge, which we assume is the centre of the traffic, and that would save their walking a distance down into Thames-street.

4353. Would not that plan of yours entirely block up one arch?—No.

4354. *Chairman.*] Would not the steamboats landing alongside interrupt the free passage of the river?—Not more than it does now.

4355. Now it lies on one side of the river, does it not?—We say that these are a good deal too far out; they contract the navigation of the river.

4356. Have you exercised the calling of a lighterman personally?—Yes.

4357. You are acquainted, experimentally, with the nature of the navigation?—Yes; after I had served my time seven years, I worked at it as hard as a journeyman could work, although it was on my own account, for 25 years.

4358. Do you think you could manage a lighter now?—Yes, very well, I should think; except that I am out of practice now.

4359. But you thoroughly understand it?—I do; of course it requires some nerve if you have a loaded barge to navigate through a difficult passage, such as the bridges on the Thames present now; it requires judgment and nerve to take care that you do not strike her or injure her against the bridges.

4360. With your experimental knowledge, do you really believe that a landing-place projecting from the pier of a bridge, as you have described, would be advantageous for the traffic of the river?—I do think so at some of the bridges; not all, certainly.

4361. Mr. *Locke.*] Will you look at that model (*a model was shown to the Witness by Mr. Leach*)? I believe that represents Southwark Bridge: will you explain how it stood there?—The pier stood on this side (*referring to the model*).

4362. Do you mean off from the pier of the bridge?—Yes.

4363. Straight out?—Yes; the passengers came along here, and then went down.

4364. Through the bridge, I believe?—Yes.

4365. Mr. *Hankey.*] But outside of it?—Yes; then the boats could go on each side.

4366. *Chairman.*] Besides the objection which you have to these piers on the score of expense, have you any other objection?—No; they are very nice piers, I admire them very much, they are very beautifully constructed; but I think they are farther out than is necessary.

4367. What fault do you find in the fact that they extend too far, too far for what?—There would be plenty of water if they stood nearer the shore for the steamboats to call.

4368. Do they obstruct the navigation of the river?—We get used to it, of course; but sailing barges, when there is a strong westerly wind, have to turn up: they cannot drive them, particularly if they have got stacks; they are obliged to sail up, and to do that they want as much room as possible.

4369. Is that necessary room inconveniently contracted by the projection of the piers?—I think they get used to it; they do not complain of it now that I know of, but we are of opinion that they are farther out than is necessary.

4370. The extent of the piers is certainly very convenient for passengers, is it not?—Very convenient.

4371. Do you think that the passenger traffic is more consulted than the other traffic on the river?—I think the other traffic, that is the carrying trade of valuable merchandise, should receive consideration; the passenger traffic is not the whole of the public, as we all know; and the other portion of the public should have the consideration of any Board, as well as the passengers.

4372. With respect to the mooring regulations of the Conservancy Board, have you any observations to make upon that subject?—I quite approve of all their arrangements in regard to laying the moorings down, although I have reason myself to complain; inasmuch as I had a private mooring of my own, for which I paid 100 *l.* some years ago, and that has been entirely removed.

4373. What did you pay that 100 *l.* for?—For the

the exclusive right of mooring barges to that chain.

4374. To whom did you pay it?—I paid it to the widow Burgess & Co.; they used it from time immemorial, I believe; but we have recently been told that there could be no exclusive right to any individual in the river.

4375. Then, at the time you purchased the right, you were aware that your title was one that could be challenged?—I suspected it was likely it would be, although I had got an old bill which showed a sale by auction for the said buoy, which had fetched about 120*l.*, I think.

4376. Do you mean that you had a bill showing that the same mooring had been sold by auction?—Yes; I had an old bill, which showed that; at the same time I admit the necessity that proper moorings should be found for steam vessels, and my moorings could not be used by me without spoiling the other moorings, therefore I considered that we ought to give place where the public were benefited; I have always maintained that.

4377. Although you were a loser by this transaction, still you think that the change which was instituted by the Conservancy Board was beneficial to the public?—Quite so; because they could not have carried out their arrangement of mooring large vessels without removing my moorings, and on the principle that we should treat the whole world as one family, and act upon that principle, if possible, as far as we can.

4378. I think you were in the room when Captain Sulivan gave his evidence?—I was.

4379. Have you any observation to make upon any portion of Captain Sulivan's evidence?—I think I have, perhaps, replied to that part of it which applied to the limited number of men. I say, we find now that we have plenty, we have more than can really be employed, and apprentices being taken so largely, that supply is likely, I think, to meet every exigency that may arise. Captain Sulivan spoke of the monopoly, and the limitation of our numbers. There really is no limitation now, on account of so many apprentices being taken. I think there will be an abundant supply for anything that may arise. Captain Sulivan also spoke rather disparagingly of us, in reference to our being under engagements to supply the Admiralty with men, when we were called upon to do so. Under the Act of Queen Anne we were bound to summon any number of men that the Admiralty might require, at any time and under any circumstances, and our men were all of them subject to impressment. I remember when I was an apprentice we were anxious to get protection against the press-gangs; and there was a certain situation which was always sought after, which was, what we used to call a firecoat, that is, a man appointed to the fire-engines. The fire-offices always chose our watermen and lightermen; and it was a protection from the press-gangs under Act of Parliament.

4380. Did that constitute a sufficient exemption?—Yes.

4381. Then the freemen of the Watermen's Company were only liable to be impressed, together with all other waterside people?—With this exception, that they were bound, if the Admiralty required it, under the impressment laws, to find any number of men they might propose to have. I remember the time when our rulers (that is, the Court of Assistants), were called upon to exercise that duty, in going to catch the men, and take them to the different depôts; and I have heard some very funny stories respecting that operation, as the Committee may well imagine.

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4382. You are speaking of a great many years ago, I suppose; in the time of the great French War?—Yes, something like 40 or 50 years ago. I only mention it to show that it was no idle excuse which was made when we were sent for by the Admiralty. I was one who attended on that occasion, and saw the First Lord of the Admiralty. On the breaking out of the Russian War, we were then asked if we could supply men for the Navy if we were called upon. We found that we were powerless to enforce it upon the men, because the impressment laws had been abandoned; we were required to use our influence in procuring volunteers, which we did, and we sent them several men, those that we could find; but the greater portion of them were rejected on account of height; they did not come up to the standard as to height. They accepted some; but, notwithstanding that, there were a great many of our men employed during the war.

4383. Mr. *Locke.*] Voluntarily, I suppose?—Yes, voluntarily; there were a good many men in the service during the war, and just previous to the peace we were called upon to supply, I think, it was 40 watermen for the Black Sea; that was done, and they were all ready prepared to go, but the peace put an end to that requirement.

4384. *Chairman.*] Do you know why that provision in the last bill, which required the Watermen's Company to furnish that quota, was struck out?—It being in operation by the abandonment of the impressment laws.

4385. In fact, if there had been no impressment laws at the time of the great war, there would not have been a great many sailors furnished by the Watermen's Company, I presume?—There were always many disposed, and did enter the navy, their occupation is so nearly resembling that of a seafaring life, that it is a very good school to prepare them for such service.

4386. Are you acquainted with Mr. Cory's vessel, in the Thames, which is called the "derrick?"—Yes.

4387. Do you consider that the placing of that derrick, in the Thames, has been an improvement to the navigation of the river?—I do not consider that it is any improvement to the navigation of the river; except with regard to its moorings, I should say it was in a very good place; it is quite out of the way of the navigation of the river.

4388. Has it ministered to the improvement of the navigation?—Yes, it has; it has certainly relieved us from the difficulty we had to encounter in navigating from the Victoria Docks. The steamers used to go in there and discharge their coals in the dock, but since the derrick has been in the river, it has relieved very much the work at the docks, in regard to getting in and out.

4389. In what respect has it relieved you?—It has relieved us in this way; formerly we could rarely get up in one tide, in consequence of the number of barges that required to be let in and out; but now, as the trade has gone to the derrick, we can get in and out much more easily, and can save tide. Ships going alongside the derrick, discharge speedily; the entire cargoes are delivered into barges, and are soon taken away almost at once.

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4390. Then, in fact, it has removed a considerable amount of obstruction which formerly existed in the river?—Quite so, as far as relates to the Victoria Dock.

4391. And you think it is judiciously placed?—I think so. There could be no better place that I know of in any part of the river, because the whole of the navigation is on the other shore, both ebb and flood.

4392. I suppose you are pretty well acquainted with the general opinion of the lightermen on this subject?—Yes.

4393. Do they agree with you in the opinion you have expressed with regard to this derrick?—Yes, all that I have come in contact with; and I believe that is the prevailing impression.

4394. Was there a considerable delay in docking and undocking barges in the Victoria Dock before the mooring of this derrick?—They did their work speedily, but it necessarily involved a good deal of work when there were so many barges to let out and in. We could not control that, of course, and it has relieved us very much.

4395. Mr. *Locke.*] Have you been applied to by the free watermen for protection when the Conservators have interfered with stairs marked by the Waterman's Company?—Yes, often.

4396. Was that in consequence of their not having found other suitable ones which were to be provided by the 62d section of their Act of 1857?—Yes, there have been two or three applications of that sort.

4397. To you?—Yes.

4398. Do you recollect on what occasions those applications were made?—The principal one that I remember was at Fenning's Wharf.

4399. Who was that application made by?—That was made by several watermen who presented a memorial to draw our attention to the obstruction, which they informed us was being, or about to be, made.

4400. What was the particular ground of their complaint?—The danger and difficulty of getting boats in and out at those stairs, to land and take in passengers.

4401. Did you make any representation upon that to the conservators?—Yes, we made the representation that was presented to us, I think.

4402. Was that in writing?—Yes.

4403. Have you the letters here?—I have not, but they can be provided, I have no doubt.

4404. I understand the clerk of the Watermen's Company has the letters here?—Very likely; he has a great many documents, I know.

4405. In addition to that complaint, with respect to the pier at Fenning's Wharf, with respect to what other places were complaints made?—I do not at this moment recollect.

4406. Is this the correspondence which passed between you and the Conservators?—Yes. (*The Witness handed it in.*)

4407. Was that with respect to the pier at London Bridge?—Yes, on the Surrey side, by Fenning's Wharf.

4408. You do not at this moment recollect what other piers were complained of, you say?—No, I do not; there were some others; I dare say our clerk can supply that defect.

4409. Do you recollect yourself going to the office of the Conservators in Trinity-square?—Yes.

4410. Did you make a complaint then?—Yes.

4411. With respect to what?—With respect to the pier at London Bridge on the Surrey side.

4412. What answer did they give you?—The complaint was submitted to them in writing; they did not receive our communication personally.

4413. Did they refuse it?—Yes; I think they did.

4414. They would not go into the question?—They wished us to submit all we had to complain of in writing, and the reply would be given to us in the same way.

4415. Was your complaint submitted in writing?—Yes.

4416. Is it contained in those letters?—Yes.

4417. Is their reply?—Yes, I think it is.

4418. Do you think that the parties connected with the River Thames have confidence in the present Conservators of the Thames?—I think not.

4419. What makes you think so?—Because they have no representatives on the Board.

4420. Did you complain, on that occasion, when you went to the Conservators in Trinity-square, of the manner in which they received you?—No, having no opportunity of doing so at the time, but did afterwards by letter.

4421. But were you satisfied with the mode in which you were received?—We should have preferred having an interview with them; we could have explained rather more, perhaps, than we could have done by letter.

4422. If you had had a representative of your own on the Board, of course you could have explained the matter to him?—Yes, we should have done so.

4423. And he could have explained your views on the subject as a member of the Board?—Just so.

4424. Is it on that ground that you complain of the present constitution of the Conservancy Board that you have nobody at that Board to express the opinions of those who are directly interested in the navigation of the river?—That is just our view of the case.

4425. That is the reason you object to the present Conservancy Board?—It is.

4426. Mr. *Longfield.*] With regard to these coal barges, a number of them are navigated by one man, or boy, are they not?—Yes, the tide does our business mostly.

4427. Is one person able to navigate them with convenience to the rest of the craft on the river?—Not if they are large craft.

4428. It appeared to me, the other day, that every one of them got across the stream, and drifted broadside up?—When there is a strong wind down, it is difficult to keep them head to wind—the easiest way is to drive them; but I must confess, that is a matter which the men do more to relieve themselves than anything else.

4429. To go broadside up, you mean?—Yes; when there is a strong wind against us, we cannot well help it.

4430. Is not that very inconvenient to the rest of the craft on the river?—It is.

4431. Do you think that the 23d Bye law, which requires two persons to navigate a barge, an unreasonable one?—I think that two men are necessary with a loaded barge.

4432. Then that rule of the Conservancy Board in that respect is not unreasonable?—It is so far unreasonable, that it requires two licensed men, which we think unnecessary.

4433. Then you think that one licensed man and one unlicensed man would suffice; that is, one fit man and the other an unfit man?—I think a man

a man that is not licensed would do; I think it would act better; I think they would act more in concert if the one had the lead of the other.

4434. You think, if both were licensed men, they both would be commanders?—Yes; and sometimes they would get into difficulty in consequence of their judgment differing.

4435. Mr. Alderman *Salomons.*) Is the lightering trade an increasing one?—I should hardly think it was; it varies a good deal; for instance, there is a good deal of transhipment done now which was not done previously, that is, goods coming foreign are now permitted to be transhipped to another going foreign; there is no need to land them previously, as they used to do in former times.

4436. But they must put them into barges for that purpose, must they not?—Yes.

4437. Are there more lighters on the Thames now than there were 10 years ago?—I scarcely think there are.

4438. *Chairman.*] I think you gave us the number of registered lightermen?—Yes; there are about 5,000, in round numbers licensed.

4439. Mr. *Longfield.*] Do you think it would be an improvement to have all these barges towed, or could it be practicable, so that all these barges should be towed up in a string by steam?—If you are going a long distance the towing is certainly the best plan; but if you are going a short distance, supposing, for instance, it is from the London Dock to London Bridge, it would be unnecessary, because the tide would take you up without expense of towing.

4440. Do you think it would be practicable to regulate the traffic for long distances, so as that all the barges could be towed?—It is a plan which is generally adopted by those who have long distances to go.

4441. Do you think it would be advantageous to the public if it were made compulsory from certain parts, say all those starting from or below Greenwich, for instance?—I think not; none of us would like it, and I do not think it is necessary.

4442. *Chairman.*] What was the number you gave the Committee just now of the lighters?—Six thousand, in round numbers.

4443. Does that include the barges of the coal merchants?—Yes, all barges and lighters employed on the river.

4444. I find that, in the year 1853, there were 6,219 barges?—Then they have not increased.

4445. Although I suppose the traffic on the river has rather increased than otherwise?—It may have done so a little.

4446. Mr. Alderman *Salomons.*] Are the barges owned in large masses by owners?—There are not many large owners of barges; I should think, perhaps, 20 or 30, not more, are extensive barge owners.

4447. Is there any one man that works his own barge on the river?—Yes, many; there are many who have only one, two, or three; I did myself for many years.

4448. In that case they let themselves out to wharfingers?—Yes, that is, they contract to do their business at a price.

4449. What I meant to ask was this, whether the trade of the river was carried on by small men, men having one, two, or three barges, or by men having a large number of barges?—It is chiefly done by small men owning a few barges. It is open to every one, any man who can get a barge, and can get work is at liberty to do so.

4450. With your permission?—No, we have no control whatever.

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4451. Then is it the Conservators who license the barges?—We register them as a matter of course, they ought all to be registered according to our Act.

4452. Unless they hold a permission from the company then, they cannot navigate a barge?—They must be registered, nothing more. You might have a barge immediately if you pleased, only you must employ a man that is licensed.

4453. Mr. *Hankey.*] You said you saw some objection to the great length of the two new piers in the neighbourhood of London Bridge. Do you mean the length into the river?—Yes, I mean the distance from the shore, not the length of the pier itself.

4454. That is the length of the bridge leading to the landing place?—Yes, that was what I meant.

4455. But the greater the length of the bridge the greater space there is within for mooring barges along the shore, is there not?—Yes, there is, but there is an unnecessary amount of room left; you might have it in the middle of the river, as far as that goes.

4456. When you said you thought that the passenger traffic was unduly considered by the length of these piers, there is a corresponding advantage, is there not, for barges and lighters brought inside the landing place?—Yes, I think that must have been the object of the projectors of the piers to give plenty of room inside.

4457. And it has effected that object?—Quite so.

4458. Then the lighterage trade is benefited by the distance to which these bridges are extended?—No, it does not meet that at all.

4459. If it was so contracted that lighters could not conveniently be moored and moved about within the landing place, the trade along the wharf would suffer, would it not?—No, there is room for half a dozen barges, inside abreast.

4460. In breadth, do you mean?—In breadth.

4461. Then you consider that is an undue extent?—I do; I think half that number would be quite enough.

4462. Mr. *Cubitt.*] With regard to these two piers, was there not another motive in placing them so far out, was it not an object to get them exactly in a line with the pier of the bridge?—I suppose that was the object.

4463. That was the main object, was it not?—Perhaps it was.

4464. Probably you think that a very desirable object?—If the piers were placed out of the line of the pier of the bridge, it would give more room for the steamboats to lie under the pier, if I may so speak, that is if the pier was nearer the shore, the steamboats lying alongside that pier would then be in a line with the pier of the bridge, but now they lie outside of it.

4465. Then the pier itself, lying in a line with the pier of the bridge, leaves very little space for steamers to lie within the line of the pier of the bridge; is that what you mean?—Yes.

4466. Therefore, the advantage gained by getting a clear water way off the first arch is not altogether a clear unmitigated gain?—We rarely have an opportunity of getting inside the shore arch, because of the steamers lying at Fresh Wharf and others, which nearly block up the whole way, so that we seldom have a chance of getting inside the arch. If there were no steamers there, it would be a very good thing indeed.

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4467. With reference to getting to the wharves near the bridge, is that convenience facilitated by having the line of pier within the line of the pier of the bridge?—The piers themselves are obstructions, of course, to getting to the wharves. I do not think it makes any difference their being placed there; but the piers themselves are obstructions; we feel it so. I do business myself at Old Swan Stairs, and I know the inconvenience of it. If we cannot get inside, we must go right up to the end of Allhallows Pier, and then haul down again.

4468. Then the piers being placed as they are, could you get barges to these wharves more easily as the piers now lie than if the piers were nearer to the wharves?—It would make but very little difference in regard to the traffic; the only objection I have is in contracting the space in the middle of the river.

4469. Mr. *Hankey.*] If the bridges leading to the Old Swan Pier were 30 feet shorter, you think there would be equal facility for bringing barges inside of the present pier?—I think there would be quite room enough.

4470. Quite room enough, taking away 30 feet?—Yes.

4471. I mean, shortening the bridge leading to the landing places?—Yes.

4472. The waterway, therefore, inside, would be contracted by the extent of that 30 feet?—It would.

4473. Do you think that the water so contracted by 30 feet would give equal facilities for barges coming in and moving about inside as they have now?—There would not be so much room; but there would be room enough, I think.

4474. With regard to the advantages of towing up the barges by steam, if all lighters going a greater distance than one mile were obliged to take steam-tugs, say, above Greenwich, would there not be a great saving of risk to the general navigation of the river?—Yes, there is no doubt of it, because they could do it more speedily, and would be always in a line.

4475. There would then be no risk of the inconvenience of these vessels drifting up broadside, which now exists, except for those which are only going very short distances?—Exactly so.

4476. And would not that, in your opinion, be an advantage?—Yes.

4477. I thought you said you considered there was no particular advantage in having steam?—To do it in every case would be to our disadvantage.

4478. You mean to lightermen?—Yes, we must provide a man or two to take our barges from a certain place; and if there is tide enough it can be done without towing by steam.

4479. But for the public generally, and for the safety of the river, that remark does not apply, does it?—No, it would be an improvement by keeping the river clearer, unquestionably.

4480. Mr. *Longfield.*] Lightermen would lose, and the public would gain, would not that be it? It would not be an entire loss to lightermen, but unnecessarily expensive, still it would be an improvement in the navigation. The clearer you can make the river the better.

4481. Mr. *Hankey.*] Do you think it would diminish the chances of accident to barges and lighters?—No doubt of it.

4482. And the other traffic, such as steam boats and the other traffic on the river?—Quite so.

4483. Mr. Alderman *Salomons.*] Would that increase the expense of lighterage for goods?—It would a little.

4484. Mr. *Cave.*] Are not those lighters that are less than 50 tons, allowed to have only one man?—Yes.

4485. Is it not a fact, that many of these obstructions to the navigation of the river, arise very much in consequence of having only one man?—Yes.

4486. Would it not be an advantage if that law as regards the two men, were still further extended with regard to lighters of smaller burthen?—Yes, I think it might, but they should not require two qualified men.

4487. You think that lighters of smaller burthen might be obliged to take one qualified man, and one not qualified?—Yes, an apprentice would do.

4488. At present, I think the lighters above 50 tons are only required to take one qualified man?—Yes, for 50 tons and under, one is considered sufficient.

4489. Fifty and over, is it not?—For over 50 two are required.

4490. Both qualified?—Yes, by the Conservators' bye-law.

4491. And all below 50 would only have one?—One man is enough.

4492. *Chairman.*] And practically these lighters are navigated only by one man, are they not?—Only by one, unless it is a case of emergency, and then we have two or three.

4493. Mr. *Cave.*] Have you not heard of complaints of the navigation being very much obstructed, by the lighters navigated by one man, getting across the stream?—Yes.

4494. Do you think the compulsory employment of two men, would be justified by the additional security to the public?—It would not be necessary always, because one man could, if he chose, keep a barge straight with the tide, which would be all that could be wished.

4495. Then, what line would you draw; what rule would you make?—I am not quite prepared at this moment to say what would be the best course, but we all admit that men ought to keep their barges straight when they can, that is, that they ought to row them, when practicable, instead of suffering them to drive athwart the tide, which takes up so much more room.

4496. Then you think, with regard to barges of less burden than 50 tons, it is the fault of the men, and not of the system, is that so?—Yes, quite so.

4497. You stated just now that it would increase the expense of lighterage if your barges were compelled to be towed by steamers?—Yes.

4498. Supposing those barges above 50 tons were towed by steamers, would you not then require to have two men on board?—No; one would be quite enough.

4499. You make an exception with regard to the two men in favour of the barges towed by steamers, that would be a point in your favour, with regard to the expense, would it not?—Yes, it would.

4500. Then that would make the lighterage cheaper instead of dearer, would it not?—Certainly.

4501. I mean that the steam-tug with one man would be cheaper than the old lighterage plan with

with two men?—Yes, that might be so, if it was generally adopted.

4502. Would there be any difficulty even in short distances; might not the train stop, and have a fresh barge put on here and there?—No; I think if a man did his duty generally he would keep out of the passage way of any boat upon the river; he would row her up.

4503. But practically we find that is not the case; and I want to know whether, supposing all barges were obliged to be towed by steam, the train that was so going up the river could not be increased here and there by a fresh barge being put on without any difficulty?—Yes, that might be so.

4504. Just as an omnibus stops to take up passengers?—Yes.

4505. I am asking for information; would there be any difficulty in it or not?—Of course, if you were a barge owner, and had a steam-tug of your own, you would naturally pick up all your own barges as you went along.

4506. Even for a very short distance?—Yes. But others, having no claim upon your steam-tug, would have no opportunity of taking advantage of it, unless there was some agreement.

4507. If there was a settled scale of fees, for instance, for short distances, would that be any improvement?—Yes.

4508. At the same time such a regulation would lead, not only to public security but to the economy of labour with regard to those barges that are now obliged to take two men?—Yes.

4509. Is not all the traffic passing to and from the Brentford Docks towed by steam tugs?—Most of it is.

4510. Do you find now that the coal barges ever prevent your getting out of the Victoria Dock in one tide?—No, there are very few coming out since the derrick has been established.

4511. Has that considerably improved the facility of getting in and out?—Yes.

4512. When you say that you could not get in or out in one tide, do you mean that all the barges could not be cleared out in one tide, or that you could not save the tide?—That we could not save the tide; we had not tide sufficient before high water to get up.

4513. Unless you happened to be one of the first barges out?—Yes.

4514. Do you find when you start from the derrick that a single tide takes you up?—Yes, if you start early.

4515. Always?—Yes, except on extraordinary occasions.

4516. Do you refer to your barges that are towed by steam or to those that merely drift up?—Those that merely drift up by the tide.

4517. Of course, if all barges were taken by steam, that might be done against tide as well as with tide?—Yes.

4518. They do so in fact, do they not?—Yes.

4519. Then the difficulty would be more easily got over by taking them up by steam?—Yes.

4520. On the whole, you are favourable to such a system, if it could be carried out without much difficulty?—I am.

4521. Mr. Alderman *Salomons.*] What is the standard daily or weekly wages of the lightermen?—Thirty shillings a week are their usual wages.

4522. And how much for his assistant?—About 20*s.*

4523. Then a barge with two men in it would cost fifty shillings a week in wages?—Yes, except we pay them extra for their nights; as they are out night and day.

4524. Then it may cost more, but it would not cost less, according to their standard wages?—For day-work that is it.

4525. And if they had night-work you would have to pay extra for that?—Yes.

4526. Sir *John Hanmer.*] Would not a train of barges, towed by a steamer, make a great disturbance in the river by the swell?—No, not particularly.

4527. I should think the barge nearest the steamer would get pretty well drenched, would it not?—No, they cannot tow away barges that are loaded very speedily; and though they get good way through the water they do not make a very great swell.

4528. Mr. Alderman *Salomons.*] Are not all the barges that are now towed up towed with the tide?—Generally with the tide, for this reason: if they are bound to a certain wharf they would not get water enough at the ebb tide, they would not get to it till the following flood.

4529. Would there not be a difficulty in towing the barges up at the ebb tide?—Yes, because it would be expensive and tedious.

4530. You are speaking of your own knowledge, are you?—Yes, it would take up too much time; barges being towed up with the ebb tide, would take four or five times as long as on the flood.

4531. From the state of the present practice, do you know that they do tow up barges on the ebb?—They do upon emergencies; but unless they can save their water up to a certain point, it would be no gain to them, because there would be no water under the wharf sufficient to float the barge.

4532. I understood you to say that they could work against the tide?—They could work against the tide if it was needed.

4533. But would it answer their purpose to work against the tide?—No, unless it was to get on board a certain ship; we have often done that when a ship was waiting for certain goods, we have got a tow up, got alongside, and got discharged.

4534. Do you mean to say then, in reply, that it is not necessary on ordinary occasions, but on extraordinary occasions you would resort to it?—Yes; and we do it now.

4535. Mr. *Lindsay.*] I understand from your evidence, that you would not consider it a hardship to be obliged to have all your lighters towed?—Oh, yes, we should, because our distances are so short; if you have a ship lying at Pickle Herring tier, and you were coming out of the London Dock, you would think it very unnecessary to employ a tug for that distance.

4536. But would you consider it a hardship if you were obliged to have all the lighters towed; if they were required to come, for instance, from below Blackwall to anywhere above London Bridge?—We should not like the expense.

4537. *Chairman.*] You are speaking as a lighterman, I presume?—I am; I am speaking as I feel it would affect my interest.

4538. Mr. *Lindsay.*] Would you not be a gainer by the time you would save?—The time

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is not always an object with us; for instance, if we get up to a certain place late in the afternoon, we can do nothing until the following day, so that we have the advantage of another tide, if we lose the first.

4539. I understand from that, that you could not do more work in a single tide than you do now?—No, not for short distances.

4540. Because now you are obliged to work your barges with the tide?—Yes.

4541. Either when you employed steam or as at present?—Yes, because the Custom House hours are four o'clock; if we cannot get a barge up between three and four, it would be of no use till the following morning, so that we have all that time.

4542. Although you question whether it would be to your interest as a lighterman to employ tugs, I understand you to say you are of opinion that it would tend materially to clear the river?—Yes, it certainly would be an improvement upon the river, if all were towed up.

4543. How many barges leave the London Docks at a tide, on an average?—I should think rarely less than 50; that might be the average, taking the two tides, night and day; I dare say there are upwards of 100 craft in the 24 hours frequently.

4544. So that if regulations were laid down, making it compulsory for all barges to be towed from places below Blackwall, would it be necessary or desirable, in your opinion, to extend it to lighters going only a short distance; for instance, lighters leaving the London Docks, and going only to Fenning's wharf, or lighters leaving the London Docks and going to wharves on the opposite side of the river to the London Docks; do you think it would be necessary to make it compulsory upon the owners of those lighters going short distances to employ steam vessels?—I think it would be a very unnecessary regulation for that short distance.

4545. But do not those vessels that leave the London Docks, and go to wharves in the immediate neighbourhood, offer great obstructions to the navigation of the river?—Perhaps in rowing across the river they do, but notwithstanding, if you have them towed, they must still be put athwart the tide frequently to get to a certain point.

4546. I understand you to say that you would be a loser you thought as a lighterman if you were compelled to employ tugs, but would you not gain in the saving of labour?—We should generally, with the exception of short distances, for this reason, we must employ a man or two to take our barges to a certain point, and if they were towed the man's wages would be just the same, and we should have the extra charge for towing to pay for.

4547. You are obliged by the law now to have two men on board a barge above 50 tons, are you not?—Yes.

4548. But if it became the law that you were obliged to take a tug, would not one man suffice?—Yes.

4549. Consequently the extra cost of the tug to you would be more than counterbalanced by the saving of the wages of the one man, would it not?—For long distances it would, but not for short.

4550. In your opinion then it would not be counterbalanced by the saving for short distances?—No, because it is not simply the navigating the barges; they require loading, and you must have men to load and discharge sometimes.

4551. Are not the barges loaded by the Dock Company?—No; they are always loaded by our own men.

4552. That is to say, the Dock Company's men put the goods into the barges, and your men stow them?—Yes, they lower them down into the barges, and our men stow them away.

4553. *Chairman.*] Is not a good deal of the lighterage on the river carried on in the night?—Yes, a great deal.

4554. Is there not ample space behind the piers for the lighters and barges to pass there at night?—Are you speaking of the piers above bridge?

4555. The piers that have generally been erected by the Conservators?—We have very little to complain of at night, because there is so much less traffic on the river at night.

4556. As relates to the night, you have no reason to wish that the piers should be in any other position than they are at present?—No; we have plenty of room at night.

4557. Mr. *Cave.*] Instead of making the law compulsory, suppose that towing by steam were made voluntary, but that every barge which was towed by steam was allowed to have one man instead of two, how would that operate?—We are all quite sure that, for towing purposes, one man is quite enough, and it might operate in favour of towing.

4558. Do you think the barge owners generally would find it an advantage to be towed by steam, and so to get rid of the wages and employment of one man?—It would have some weight with us, of course; but there is a good deal of shifting done, which requires labour, and we could not economise that; we must have men to do that.

4559. In many instances you must have two men, whether the barge is towed or not?—Yes; if it is a large craft we should always do it, whether there was any law to regulate it or not.

4560. As to the railway traffic at Brentford, the barges there have only one man on board, have they?—I believe not.

4561. When a barge comes to your wharf you might have the second man ready to do the work you mentioned; to load, and all that sort of thing?—Yes.

4562. You might keep him at your wharf, doing other work in the meantime, might you not?—Yes.

4563. That would economise labour, would it not?—Yes, we could do that.

4564. Then do not you think, upon consideration, that such a regulation as that would have great influence with barge owners in inducing them to have their vessels towed?—We are getting more into the practice now, and I think the probability is that it will work its own cure in time.

4565. Were you upon the river on Friday when the Committee went down?—Yes.

4566. Was there not a very small number of craft on the river on that day?—It was very clear; I scarcely ever saw a less number.

4567. Then of course the Committee could form a very inadequate idea of the impediments to the navigation?—I think so; there seemed to be very little impediment; we know that a barge rowing across the river is at times a great obstruction.

4568. Mr.

4568. Mr. Alderman *Salomons.*] Is Friday a clear day on the river generally?—No.

4569. Mr. *Longfield.*] How was the state of the wind?—The wind was favourable; there was nothing to impede that day.

4570. *Chairman.*] The Committee have no further questions to ask; are there any observations that you desire to make?—I think Captain Sulivan said, with regard to the clause that was introduced in their Bill, that the lightermen were quite ready to acquiesce in such an arrangement in respect of penalties, that is that a barge should be seized and taken possession of; I think that would be extremely inconvenient and oppressive, because our men might be faulty, and, although we do not wish to screen them; they might commit an offence, and the barge might be taken possession of without our knowledge, and we should be put to considerable inconvenience; we think that a penalty could be exacted without going to such an extent as that; I think Captain Sulivan said that there were those who readily acquiesced in that, but I do not know any.

4571. You were not one of the party he referred to then?—No, nor any one I ever spoke to on the subject, because we might be away, and not hear of it for a day or two; and not only that, a barge might contain certain goods that were needed at a certain point, and we should lose considerably by that; in regard to wages, I was going to observe that the wages of the captains of the steam passage-boats are 37 *s.*; they commence at six in the morning, and seldom get away till 10 or 11 at night, and that for seven days in the week, so that we do not consider they are overpaid.

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4572. They only receive 37 *s.* a week for seven days' labour?—Yes, Sundays included; it is a very trying situation, and that is the best berth in the boat; of course the mate has not so much, so we do not think our men are overpaid generally; they work very hard; they are away from home, and they have to provide for themselves, and their work is night and day; their wages are only to be compared with those of common mechanics.

4573. The captain of one of your steamers, I suppose, is necessarily a freeman of the Watermen's Company?—Yes, they are all freemen, and I think they ever would be preferred as long as there was any such company as ours in existence; as I observed before, the fire offices always preferred our men to work their engines; they are not exclusively confined to them now, I believe, but that used always to be the practice.

Mr. Joseph Turnley, called in; and Examined.

4574. *Chairman.*] Are you a Solicitor?—I am.

4575. Have you acted as legal adviser to the bond owners who advanced their money to the Corporation?—To a portion of them, some considerable amount; many thousands.

4576. What is the amount of property that you represent?—It may be said to be about 55,000 *l.*

4577. What is the whole amount of money advanced on bond?—It appears to be about 148,000 *l.*

4578. What was the sum originally borrowed? About 20,000 *l.* above that.

4579. Under what Act of Parliament was that borrowed?—It was under the 8th of Victoria that these particular bonds were issued.

4580. There has been a subsequent Act, I presume?—There has been an Act of Parliament dealing with it, the Thames Conservancy Act; perhaps the Committee will allow me to read these few words: "Between the time of the passing of the 5th Geo. 4 and the 8th Vict., cap. 1, the said sum of 170,000 *l.* so charged upon the credit of the tolls and duties, was reduced to the sum of 141,100 *l.*, and by the said Act of the 8th Vict. power was given to the Corporation of London to borrow that sum on the credit of the said tolls and duties, at a reduced rate of interest; and in pursuance of such last-mentioned Act, the said Corporation accordingly borrowed the sum of 141,100 *l.* at the rate of 3 *l.* 10 *s.* per cent."

4581. Are these bonds still outstanding?—They are still outstanding.

4582. Do the Conservators of the Thames pay the interest of these bonds?—They have done so.

4583. Do they pay it regularly?—They do.

4584. Do they deny their liability to pay the bonds off?—They do.

4585. Has any application been made to the Corporation of London to pay the bonds?—Certainly, direct to the City of London.

4586. What was their reply?—The answer was, that the Thames Conservancy Act has taken away the dues and profits of the river, and therefore the City, originally the debtor, is discharged.

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4587. Have the bonds suffered in consequence?—In every respect, being of no positive value to anybody; it is true the Conservators consented to pay the interest, but they said that there was no privity of contract between them and us, and the City claimed to be discharged by force of the Act of Parliament, which they themselves promoted.

4588. Should you say that this refusal on the part of the Conservancy Board and the Corporation to admit their liability upon the bonds has rendered these bonds an unmarketable security?—Just so; we had the possibility of ultimate safety; they are worth something considerable, but there is a considerable loss at the same time because there is no real debtor, and therefore they must of course be reduced in value.

4589. Do you produce a bond?—I will do so—(*the Witness handed one in*)—that is a bond that was issued by the City when the bondholders advanced money.

4590. Is it not negociable now?—By those who will speculate upon property; but it ought not to be the subject of speculation; it ought to be a marketable security.

4591. *Chairman.*] What might this 1,000 *l* bond be worth?—About 70 *l.* per cent.; per adventure, it may be worth more, it may be worth 80 *l.* through the endeavours we are making to get the matter rectified. I believe the bond might realise 70 per cent. instead of par, as was paid by my clients, they paid 100 *l.* for 100 *l.* bond.

4592. Sir *John Hanmer.*] And they would not get 100 *l.* now?—Certainly not; but even the bruit we have made concerning this question has raised their present value.

4593. Mr. *Longfield.*] In truth, you have no legal security for either principal or interest?—We have not.

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4594. Although you are paid the interest?—We are by concession.

4595. Is the bond, on the part of the bondowner, irredeemable?—Just so.

4596. The debtor has power to redeem, but the holder has not?—Just so.

4597. *Chairman.*] Will you explain to the Committee by what circumstance the bondowners have been placed in this unpleasant position?—A public Act of Parliament taking away the tolls would necessarily discharge the City, and this particular Act of Parliament having been decided to be a public Act although passed as a private Act, the City was discharged; but what we have said is this, This is a mortgage upon the tolls, the first mortgagees being these bondholders; these bondholders also holding the bond of the City: the City, when they transferred the river, with all its products, ought to have acknowledged the debt (as all other public bodies certainly do) then existing on the river which they were transferring to another body; but instead of that, it was not convenient, if I may suggest my view, to acknowledge the debt on the face of an Act of Parliament, as the City was getting rid of a very troublesome occupation, namely, the management of the Thames.

4598. I understand from your evidence that by an omission in the Act of 1857 the liability of the Corporation was not transferred to the present Conservators?—No, nor in any way acknowledged, although in every other subject matter the Conservancy could be actively, specially, and didactically transferred in that Act of Parliament.

4599. Mr. *Longfield.*] They transferred the funds, and they ought to have transferred the debt?—Just so.

4600. *Chairman.*] You entertain no doubt that this was a pure omission and oversight?—We respectfully hope so.

4601. Has anybody suggested that it was anything else?—We have not.

4602. What proceedings have been taken to assert the rights of the bondholders?—An action has been brought against the City of London upon the bonds, upon the common covenant of a bond to pay the money; the City replied, their plea is in very few words.

4603. Will you state to the Committee what it was?—I will read the very words; "For that in the lifetime of Anthony Brown, to wit, on the 22d day of January, in the year of our Lord, 1846, the defendants, by their bond sealed with their common seal, became bound to the said Anthony Brown in the sum of 1,000*l.*," and then the defendants say in their plea, "Now the condition of the above obligation is this, that the said mayor, commonalty, and citizens, and their successors, will and shall, according to the said true intent., &c., pay, or cause to be paid," and then they plead that there was a sufficient sum of money in the tolls granted to have paid these bonds, but that they are discharged by the Conservancy Act. That was their plea.

4604. *Mr. Longfield.*] Was not Mr. Anthony Brown paid his interest?—Yes.

4605. Then how could you sue at all?—I will explain how it was; there being a failure in the payment of the interest, we took advantage of that, and applied to the city for it; they refused to pay. We were in no situation to ask anybody else, and therefore upon their non-paying us the interest we brought the action. We had not then received any interest, and we availed ourselves of that circumstance as an opportunity of bringing the action against the City, because we could not go to a body who would pay us one day and might not the next.

4606. Sir *John Hanmer.*] The short of the matter is, that under these circumstances the Lord Chief Justices have expressed an opinion that the remedy of the bondholders lies in the justice of Parliament?—Just so.

4607. Mr. Alderman *Salomons.*] Did you represent Messrs. Oliver in that case?—I did.

4608. Did Messrs. Oliver hold these bonds when the interest was reduced, or before the interest was reduced to three and a-half?—They took them as you perceive, with that charge upon them, and then that was reduced.

4609. *Chairman.*] Did they hold a bond under the former Act of Parliament?—Yes.

4610. Mr. Alderman *Salomons.*] At that time the bonds bore a higher rate of interest, did they not?—Not these very bonds; the loan originally bore five per cent., then they reduced it by two different Acts of Parliament, and ultimately it was reduced to three and a half.

4611. The interest was paid out of the tolls which were transferred to the Conservators, was it not?—We presume so; we always received it from the City.

4612. Is it not so, on the face of the bonds?—Certainly; we went to a particular office, and received a particular sum of money; we could not tell where that money came from.

4613. On the face of the bonds, it is payable out of the tolls, is it not?—Just so.

4614. Then as to the 70*l.* or 80*l.*, whichever the price may be, that they now bear in the market, it is not so much the uncertainty of the security as the amount of interest which they pay; a bond paying three and a half per cent. would not be worth 100*l.*?—What I say is, that at the highest rate of interest the bond has not been worth 100*l.* since the repudiation by the City.

4615. I only want to go upon the fact of the price it bears, is not that so?—It is not a fact that the rate of interest affected the price of the bond.

4616. Do you mean to say that the rate of interest does not affect the price of a bond in the market?—I say that a three and a half per cent. City bond is worth 100*l.*; it is worth the money we gave for it.

4617. Was one of the reasons which influenced the price of the bonds that the rate of interest was very low?—Certainly not; and I will give you the reason why. When we were called together and asked, "Will you take your money or three and a half per cent.?" we were so satisfied with the City Security Bond that we said we would take the three and a half. We had the opportunity then of getting the money.

4618. Do you not think if the price of this bond, paid as it now is, was a five per cent., it would be worth 100*l.* in the market?—At five per cent. they would be worth much more than 100*l.*

4619. Your grievance is not that you are not paid your principal, if you want it, but that you are held off at a lower rate of interest than the ordinary market price of money?—With submission, I do not complain of the rate of interest or that you do not pay the principal, but by this bond I am to be paid a particular sum charged upon

upon a particular property, and you have, in violation of that, transferred it, carelessly or wilfully depriving me of my debtor.

4620. Will not the Conservators pay you?—They might; but we are in this difficulty, if we had not brought the action within a certain period of time we should have had the Statute of Limitations brought against us; and although the Conservators having paid a few times looks like an acknowledgment of the debt, yet it is no legal acknowledgment.

4621. Was not a great amount of property paid over to the Conservators at the time they took the conservancy from the City?—There might be; I do not know their accounts; I believe there was a great deal of dealing between the City and the Conservators, and how it was to be done, and I believe, if I may say so, that money was handed over hodge-podge; if I was asked, I should say, I believe no accounts were gone into of how the river got into the difficulties which it did, and it was to get rid of a lot of difficulties connected with the Thames that the river was handed over to a body called the Conservators.

4622. You say that the securities are unmarketable?—Not quite unmarketable; I say, that the price we gave, for which the City was our debtor, ought to be the same now as when the bonds were first given, and if that were the case our bonds would be worth 100 *l.* each.

4623. Mr. *Longfield.*] The action was brought against the Lord Mayor and the citizens, was it not?—Yes.

4624. But not against their successors: the successors to the property have always paid you?—Their successors, technically, we should be advised, did not mean the Conservators. I say we should be advised so. I do not know whether correctly advised or not, but I so advised my clients.

4625. But the fact was this, that you sued the parties who had not the funds to pay, and did not sue those who had, and those parties who had the funds to pay paid you; was not that the case, that those parties who had the fund to pay the interest, have paid you?—That would be so—no, they did not. I will answer distinctly; I go to the City; I cannot afford to let my clients go to a man who is not my debtor.

4626. Will you give me a simple answer, the fund had been confided to the Conservancy Board?—Yes.

4627. Out of which fund you are to be paid your interest upon your bond?—Yes.

4628. And that fund has been so applied by the Conservancy Board in payment of your interest?—Quite so.

4629. Therefore, so far as the payment of your interest is concerned, you have received the sum to be paid, only by different hands?—We have now, but we had not when we brought the action.

4630. But you have received it now?—Yes.

4631. From out of the same fund?—For aught I know.

4632. And your complaint is, that you have not the power of suing the persons who granted you the bonds?—Just so.

4633. That by some accident the fund has been transferred without that liability?—Yes.

4634. Therefore, if you are put in the position of being enabled to sue the successors in estate?—We should be quite satisfied.

4635. Except that your bond would not be a marketable security?—We should be satisfied if the successors were made liable to pay us.

4636. What this action decided was this, not that the successors in estate were not liable, but that the grantors of the bond were not?—Just so; but there was quite enough to show by the judgment of the court that we had no one who was really a debtor.

4637. That might have been implied, but it did not decide that you sued the party who had no funds to pay you?—We could not sue the parties with whom we had no privity of contract; I had learned men to advise me.

4638. Mr. Alderman *Salomons.*] Does not your bond here say distinctly that you are to be paid out of the tolls?—Just so, but we were told by the Conservators at the same time, "We are not liable to pay you, we only do so because we have so much money by us."

4639. Mr. *Longfield.*] Have the Thames Conservancy Board, although they have paid you, disclaimed their liability to pay you at all?—They have.

4640. Have you that in writing to show?—I can state so most distinctly, and the secretary is here.

4641. *Chairman.*] Have you any means of showing it?—No.

4642. Mr. *Longfield.*] Is it the fact, then, that although the Thames Conservators are trustees of this fund, they are misappropriating the money in paying you?—I say not; I should state to the Committee that I am sent here by Sir George Grey in part. We were making an application to Sir George Grey to put this piece of legislation right, and Sir George Grey said, "This Committee is sitting, you had better go before them and make your statement."

4643. *Chairman.*] When did you make your application to Sir George Grey?—Within the last two or three months; I did not want to come here, but it was my duty to come, being sent here by Sir George Grey.

4644. Mr. *Longfield.*] In point of fact, there could be nothing from whence you could claim the funds being transferred to the Conservators; you took it with its liabilities?—If the Conservators present will acknowledge us, we shall be satisfied.

4645. Mr. *Cave.*] Did they say that they paid without prejudice when they paid you?—They did; they distinctly stated that.

4646. Mr. *Longfield.*] Was that in writing?—Certainly not. The nature of my case was peculiar; I did not want to recognise a debtor, who would be a debtor one day and not another, and that drove me to the necessity of bringing an action. It was for me to go to the Courts to have it settled; when the property was transferred without the first charge upon it, I became alarmed.

4647. Did you, the moment the City refused payment, institute an action against them?—No, I wrote them many letters.

4648. To the City?—Yes.

4649. Did you apply to the Conservancy Board for the interest?—No, not for the interest; I will not mislead you there. The non-payment gave me a right to bring the action, and try the question.

4650. Then you prejudice the bondholders without going to the Thames Conservancy?—They are not my debtors.

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4651. Sir *John Hanmer.*] But you say they ought to be?—Yes.

4652. Mr. *Longfield.*] Up to the time that you instituted the action, there had been no question raised as to the liability of the Thames Conservancy, had there?—Yes, I went and made inquiries myself.

4653. Had they paid the interest up?—No, they had not paid the interest.

4654. Not of any bondholder?—I know not; those for whom I was concerned, they had not paid.

4655. Had you applied to the Thames Conservancy at that time for the interest?—I had not applied for the interest; I believe if I had I should have been paid. If you wish me to say that, I wish to acknowledge everything to you.

4656. *Chairman.*] At the same time you say that this doubt, whether you would have been paid or not, has prejudiced the value of the bonds?—Of course it has.

4657. Mr. *Hankey.*] I understand you to say that the depreciation of the value of the bond is, in your opinion, due to the repudiation by the City of any liability with respect to that security?—Undoubtedly.

4658. If the security originally granted was restored, the value of the bond would then rise to whatever price a bond bearing three and a half per cent. of first-class character would then bear in the money market?—Precisely so; we should be perfectly satisfied with the result, if the Committee will give us a debtor.

4659. Does the same remark apply although the bond is not, on the face of it, redeemable at any particular price?—Precisely so, for what it is worth.

4660. Mr. *Cubitt.*] You seem to impute to the City that they were desirous of getting rid of the Thames, and that they made the best bargain they could in handing it over?—I do.

4661. Do you believe that the idea of giving up the conservancy of the Thames originated with the City, or am I right in supposing that they were driven to it by public clamour and by the Government?—There had been disputes with the Government, and I consider that they chose to reconcile those disputes in that general way. Instead of meeting the Government in open court, they chose to make this compact with them. Why they did that, whether for any other reason, I do not know. They were, of necessity, doing it, peradventure for the public good, but they left out the bondholders.

4662. My question is not quite answered. Do you believe that the City were desirous of getting rid of the Thames, and of making the best bargain they could in handing it over?—I say I believe so. They were waging war with the Government for many years, and it was considered to be a good compact for the City, no doubt, to make with the Crown. The terms of it were, that they should give the Crown 5,000*l.*, and that they should give one-third of the dues of the river in future to the Crown. On those terms the Crown settled the suit, but they never consulted the bondholders, or recognised them in the transfer of the property.

4663. Mr. *Longfield.*] Up to the time of this action being brought, were these bonds saleable at par?—No.

4664. Mr. *Cubitt.*] Then are you of opinion that the transference of the conservancy of the Thames from the City was considered by the City to be a desirable thing for them?—I know not; I believe the City were tired of the river; they had got into a contest with the Crown, and I judge by what they did; they made a contract.

4665. Are you aware, that the question between the Government and the City was simply as to the bed and soil of the river?—Assuredly it was.

4666. Then did not that question, as to the bed and soil of the river necessarily involve the honourable position of having the charge of the river, which they had had from time immemorial?—They had held the conservancy of the river from time immemorial, certainly.

4667. Does it not occur to your mind that the City would give up with great regret that honourable position which seemed to have belonged to them?—It is difficult for me to answer that. If I speak from what I know and hear, and it is rather from what I hear than from what I know, they were tired of managing the river, and it was a very troublesome property to them.

4668. Sir *John Hanmer.*] What was the value of the bonds at the time the City transferred the conservancy to the present Board?—They were worth their money, according to my belief; they were worth par.

4669. Mr. *Cave.*] The two reductions of interest, which we see mentioned here, were quite voluntary on the part of the bondholders, I think?—Just so; they put the usual advertisement in, namely, those who will not come in and reduce their rate of interest shall be paid off. Everybody thought what excellent paymasters they must be, they were going to reduce their interest, therefore we came with our bonds and took a lower rate of interest.

4670. You have no complaint to make on that score?—No.

4671. Mr. Alderman *Salomons.*] Does not the depreciation arise, not from the rate of interest being less, but from the fact of the bond being irredeemable?—No; as against the City at 3½, I should like to get 50,000*l.* on that security.

4672. But they are irredeemable?—They are irredeemable at 3½.

4673. Are you aware at what rate they raise money now?—I am not speaking of now; I am speaking of their permanent character in the City; you know very much better than I do the value of these things.

4674. I should say that a non-redeemable bond at 3½ per cent. with the City, or with a similar body, was not worth more than 70 or 80?—Well, we gave 100.

4675. Mr. *Cave.*] Do you happen to know whether the bonds were transferred at par before this difficulty arose?—No, I do not.

4676. Mr. *Longfield.*] When did the depreciation become first marked?—The matter came to me in this way, to get the money from the City; and I applied respectfully to the City many times, and waited many months before I brought the action.

4677. Before that had the bonds been depreciated?—You see, I know nothing; I sit in my office and read this bond, and I know nothing beyond it.

4678. Then you do not happen to know that up to the bringing of the action these bonds were of as good value as they were before the Thames Conservancy Act passed?—I should not like to say anything; I do not know positively. If you ask

ask me my opinion, I would say I think there is a gentleman sitting by your side who can tell you that they were very much depreciated.

4679. Do you mean before that blot was hit they were depreciated?—Yes, before the action was brought.

4680. Was that blot known until you had made the demand upon the City?—These poor bondholders, if I may so speak of them, had no knowledge of anything; they lent their money, and they took the City bonds; they had no knowledge of what the City did with their property; so that they got their money, they neither knew or had any other power of control.

4681. Up to the time that these gentlemen came to you to recover their interest, were these bonds considered in the market as good as ever they were?—If you ask me, I should say I consider they were of much less value.

4682. Do you know it?—No, I know nothing; I sit in my office simply to do my business.

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4683. Did you know anything about these bonds?—No, not until my clients came to instruct me.

4684. After the action was brought, no doubt they fell in value rapidly?—I should say they did at first; I should say they fell 5 per cent., more perhaps; for instance, if they were worth 75 per cent. before, they were worth 70 afterwards.

4685. There is very little doubt of this, I believe, that except upon the bonds upon which you were suing, the Thames Conservators had paid the interest upon all the others?—I have every reason to believe they had.

4686. Then you think, save the inconvenience which some of the bondholders might have sustained, in not being able to assign their bonds at par, if an Act was passed fixing the liability upon the Thames Conservancy, who are now the recipients of the fund, no injury will be done?—We should be very grateful.

Mr. William Cory, called in; and Examined.

4687. *Chairman.*] Are you a coal merchant and shipowner?—I am.

4688. Carrying on your business in the port of London?—Yes.

4689. Do you occupy large premises in the port of London in connexion with your business?—I do.

4690. Will you inform the Committee the quantity of coals imported into London in the course of last year, the whole amount?—I have it here since 1847; there has been no increase since then.

4691. Will you state the amount imported last year of sea-borne coal only?—3,442,402 tons.

4692. Of that quantity, what portion was imported by yourself?—Not imported, bought on the market; our business is buying on the market.

4693. What quantity passed through your hands?—Nearly a million.

4694. Are you the owners of a floating raft in the river called the "Atlas," otherwise known by the name of the Patent Derrick?—We are.

4695. Have you fitted that craft with machinery for the purpose of discharging the colliers?—Yes.

4696. What is the nature of the machinery which you have adopted for that purpose?—There are six hydraulic cranes, with a suitable pumping engine and gas-work.

4697. How long has the "Atlas" been in your possession?—We agreed for it at Midsummer 1861.

4698. Is the "Atlas" now in a state of completion?—It is now complete.

4699. And in active operation?—Yes; it is not in full work.

4700. How long is it since the work commenced?—Three months.

4701. Is she found to answer your purpose?—Quite so.

4702. Before the completion of the "Atlas" were colliers discharged by you at the Victoria Docks?—They were.

4703. Were more colliers discharged by you in the Victoria Docks than could be discharged with immediate dispatch?—Yes.

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4704. Was it that circumstance that led you to make use of the "Atlas"?—After we purchased the "Atlas" we cultivated a larger trade in the docks than we could do with advantage, with a view to transfer a portion of it to the "Atlas."

4705. With the facilities that exist in the Victoria Dock for discharging colliers, why did you enter into this costly undertaking?—Because we could do no more at the Victoria Docks than we were doing.

4706. Do you still continue to discharge colliers in the Victoria Docks?—We do.

4707. Do you discharge as many colliers in the Victoria Docks as you can discharge with immediate dispatch?—We do.

4708. Have you any premises in the docks?—We have.

4709. Will you state what they consist of?—We have eight hydraulic cranes, with machinery; we have expended there 15,000*l.* We have a lease, originally for 99 years. We must do a certain large amount of tonnage, or pay the company, whether we do it or not. The company have also power to use our machinery, free of charge, when not in use by ourselves.

4710. Is that power often made use of?—It has never been used.

4711. Do you find that the machinery which you have erected is scarcely sufficient for carrying on the operations of your own business?—It is not sufficient for carrying on satisfactorily so much as we were doing before the work at the "Atlas" commenced.

4712. When you first made application to the Conservancy Board to permit the "Atlas" to be anchored in the river, was permission unhesitatingly granted you?—No.

4713. The Conservancy Board seem to have hesitated a good deal before they allowed you to moor the "Atlas" in the river, did they not?—There was much hesitation.

4714. On what terms did the Board grant you the permission?—A rental of 300*l.* for the first year, I think; 550*l.* for the second; and 650*l.* for the third and following years.

4715. Were there any other conditions than those of payment?—It was during pleasure, and

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all our own barges coming above London Bridge were to be towed by steam as far as the Custom-house Roads.

4716. Did the Conservancy Board grant you a monopoly of the exercise of this facility of the use of the "Atlas" for the purpose of discharging colliers?—All vessels are to be delivered there in regular turn, and on the same terms.

4717. Mr. *Longfield.*] Have you the document or lease under which they have granted it to you?—I have not; but it is printed in the correspondence in the returns moved for.

4718. *Chairman.*] You are compelled, I understand you to say, to tow all your lighters up to a certain point by steam?—Those coming above London Bridge.

4719. Is that any large portion of the lighters you employ?—I think about half the barges we discharge at the "Atlas" come above London Bridge.

4720. Were you perfectly satisfied with the arrangement about the mooring of the "Atlas"?—Quite so.

4721. Was the assessor, Mr. Shaw, called in to arrange the affair?—I had several interviews with Mr. Shaw; I showed him my plan, and what I expected to do.

4722. Do you consider the terms upon the whole fair and reasonable?—I do.

4723. What quantity of coals can you discharge from the "Atlas"?—If the Atlas was continually at work, night and day, we could discharge there a million tons a year.

4724. Practically, what quantity do you expect to discharge?—Satisfactorily, we could do 500,000 tons.

4725. About one-half the quantity?—Not more; the steamers must not be delayed on any occasion.

4726. Are all the vessels which are discharged at the "Atlas" steam-vessels?—Nearly all.

4727. It has been stated that the practice of towing lighters by steam-tugs is largely practised on the river, irrespective of those which come from the "Atlas"; is that the case?—It is not largely practised, it is slightly on the increase.

4728. Are there many lighters which are towed by steam, in the coal trade, besides yours?—In the coal trade, none.

4729. Are there in the corn trade?—I cannot speak positively, but I should think not more than 10 per cent. of the lighters on the river are towed by steam.

4730. Besides those in connexion with yourself?—Including those, there are all sorts of lighters.

4731. Have you been in treaty with any other dock company, besides the Victoria Dock Company, for discharging colliers?—We were in treaty with the London Dock Company.

4732. Do you in effect discharge colliers in the London Dock?—No; we prepared plans and made them an offer; they entertained it very favourably, and seemed to say that the offer was sufficient; but after much consideration, and after seeing the dock manager, they came to the conclusion that they could not accommodate the requisite number of barges, and therefore declined it.

4733. Would it have obstructed the business of the dock too much to introduce the necessary number of barges?—The docking and undocking of the barges would have obstructed the business of the dock too much.

4734. And that was the reason your treaty broke down, was it?—That was the reason.

4735. Do you think that this arrangement which has been made with you by the Conservators, requiring that all coals discharged by the derrick should be towed above London Bridge by steam, is one that has very much facilitated the clearance of the water-way?—It would do so if all craft were towed; as it is, we avoid towing as much as possible, in consequence of the damage we receive from others that are not towed. If they were all towed, end on tide, they would pass along more quickly, and with scarcely any damage; but as it is, we meet with more damage than when we do not tow, because we have to pass so many barges and vessels lying across the tide, and for that reason we avoid it as much as possible.

4736. Mr. *Cave.*] You are compelled to do it, are you not?—With our own barges coming from the "Atlas," going above London Bridge; we do not tow anything from the Victoria Dock; we so arrange the work that we tow nothing from there now.

4737. *Chairman.*] Irrespective of the question of the loss sustained by collisions on the river, should you say that the practice of towing these lighters answers?—It would be a great advantage to every one.

4738. A great pecuniary advantage, do you mean?—Yes.

4739. And would it be advantageous in other respects?—It would keep the river very clear; ten times the number of craft would pass with less damage, if all the craft were end on tide, passing quickly through. There should be a bye-law that all vessels should navigate end on tide; this would make it necessary either to take steam or the men must then work, and in cases of need another hand must be taken.

4740. I think you were on the river on Friday last, when the Committee went down to the derrick?—Yes.

4741. Did you see an accident on the river on that occasion, which ended in a coal barge being sunk?—Yes; it was one of our barges, and there was a "Foul Pool," and they were obliged to be too far over on the south shore, in consequence of a barge being across the stream shortly before that.

4742. Would such an accident as that occur if the barges were towed?—If others had been towing it would not have occurred; we should have been further over on the north shore.

4743. Do vessels ever proceed out of the docks to take ballast in the river?—They do.

4744. Does not that tend to obstruct the navigation of the river?—Both the vessels and the ballast-lighters tend to obstruct the navigation.

4745. Can you suggest any mode of removing such an obstruction?—I would suggest that no vessel should be allowed to receive ballast in the stream above Blackwall.

4746. Would such an arrangement be satisfactory to the shipowners, do you think?—I think it would be ultimately for the advantage of the shipowners; it would be a saving in damage and delay.

4747. Are you a shipowner?—I am not an owner of sailing vessels. I think there might be a great saving to the shipowner, by taking his vessel

vessel down to the dredger, and have the ballast transferred from the dredger direct into the vessel. That might be done by a tub standing in the lighter, into which the ballast should fall from the buckets of the dredger, and then a steam-crane upon the deck of the dredger would transfer it into the vessel.

4748. How many ships could be alongside the dredger at the same time?—One vessel, but it might be put on board with great rapidity.

2749. Do you think it would facilitate, to any great degree, the operation of ballastage?—It would save the ballast lighters occupying the river, and passing up and down, and it would sometimes save the vessels lying to take in ballast, and waiting for ballast.

4750. With respect to the description of ballast that could be put on board, would it not be in a very wet state?—I think it would not be so wet as it is now in the lighter. The tubs might be so made as that the water should run through, and it would not lie so close as it does in the ballast lighter.

4751. Mr. *Cave.*] How could vessels go without ballast as far as Blackwall?—I think that five per cent. of all the vessels discharging cargo in the stream could shift without ballast; it is clear that vessels coming out of the docks to take ballast, could shift in the stream without ballast.

4752. *Chairman.*] Are you not the owner of sailing vessels now?—No; we had a number, but we disposed of them and took steamers in their place.

4753. Then your property is chiefly in steamers?—Yes.

4754. Are they iron steamers?—All iron.

4755. Do you take in any of this ballast?—Our vessels are all ballasted with water.

4756. Is that found to answer the purpose perfectly well?—Perfectly.

4757. Will you describe the nature of this apparatus for the water ballasting?—It varies in different vessels; some vessels have a double bottom, others have tanks.

4758. Do either of those processes answer the purpose?—Yes, the water is allowed to run into these tanks, and is then pumped out.

4759. As soon as the vessel is discharged, the water is pumped in?—It is allowed to run in.

4760. Has that mode of taking in ballast ever been the subject of remonstrance on the part of the Trinity House?—No.

4761. Do you know if the course which you recommend for ballasting ships, that is by bringing them alongside the dredger, was adopted, it would cheapen the supply of ballast?—Clearly, the cost of navigating the ballast lighter and heaving the ballast would be got rid of. If no vessel was alongside the dredger, the ballast lighter might be fitted with tubs, which might be filled from the buckets, and afterwards lifted out with a crane and put into vessels requiring ballast.

4762-68. Did you ever form any estimate of the comparative advantage of such a process in respect of expense?—I should think the lighterage of the ballasting and the heaving would together save 15*d.* a ton.

4769. *Chairman.*] Besides the premises which you occupy at the Victoria Dock and the derrick, have you any other premises for the purpose of carrying on your business?—Yes, we have premises on the North London Railway.

4770. Have you any premises by the river side?—Above bridge we have.

4771. Under whom do you hold those premises?—Under the Duchy of Cornwall.

4772. Is the foreshore of those premises the property of the Duchy of Cornwall?—The Duchy of Cornwall have leased it to us.

4773. Have they leased the foreshore to you?—They have leased us the foreshore.

4774. Do you know whether there is any question between the Duchy of Cornwall and the Crown as to the ownership of the foreshore?—If you require anything done in the way of camp-shedding or piles driven, the Conservators assess the value, and we have to pay a rental.

4775. But do you know whether there is any question between the Duchy of Cornwall and the Crown as to the ownership of the foreshore?—I do not know the particulars.

4776. But do you know the fact that there is a question?—I know that the Duchy of Cornwall have leased the foreshore to us, and that the Conservators charge a rental for the use. I know, in effect, that when we last paid our rental to the Duchy of Cornwall, which is 1,086*l.*, Mr. Bateman, of the Duchy Office, said, if they had the wharves in hand, they should not pay the rent for the use of the foreshore; and by making the payment wrongfully, if the Duchy were thrown into litigation for the maintenance or recovery of their rights, we should have to pay the costs.

4777. Mr. Alderman *Salomons.*] Then you pay, for what; the piles?—The ground upon which the piles stand is assessed, and we are charged a rental.

4778. And they made an objection to that, did they?—When we last paid our rent to the Duchy of Cornwall, that was the remark that Mr. Bateman made.

4779. Mr. *Cave.*] They wanted you to defend an action, did they not?—I suppose so; our lease says all the low ground next the River Thames in front of and down to low-water mark.

4780. *Chairman.*] Do you make any distinction between sailing-vessels and steam-vessels in respect of your charges for discharging at the "Atlas"?—Yes.

4781. What is the nature of the distinction?—The steamers have first turn, and pay a higher rate of charge than sailing-vessels.

4782. They pay a higher rate of charge in consideration of the accommodation, I suppose?—Yes.

4783. Do you know what quantity of coals was discharged in the year 1850, afloat in the pool?—In the year 1850 it was 1,760,746 tons.

4784. What was the quantity discharged last year?—1,028,742 tons.

4785. That is very nearly a difference of 700,000 tons of coal, then?—Yes.

4786. To what circumstance do you attribute this reduction in the quantity of coal discharged in the pool?—To our operations in the Victoria Dock.

4787. There has been no diminution in the quantity of coal brought into the port of London?—There has been no diminution.

4788. There has been rather an increase, has there not?—There has been very little alteration in seaborne coals for the last 10 years.

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4789. Mr. Alderman *Salomons.*] With regard to the towing of barges, do you think if it were compulsory to use towing-tugs that the price of lighterage would be increased?—No, I think not, if all were compelled to tow, particularly if one man in each barge was considered sufficient.

4790. You think that by reducing the labour on board the barge, you would be able to compensate for the extra expense of towing by steam?—And by the saving of damage and the gain of dispatch.

4791. You pay a certain rental to the Conservators for the derrick?—We do.

4792. And there is an understanding, I think, with them, that they may discharge any vessels in case you are not using the derrick yourselves; is that so?—No, that is not so, as regards the derrick; it is so as regards our machinery in the Victoria Dock.

4793. I think you said that other vessels could be discharged at the derrick, if you were not using it?—We discharge all vessels in regular turn of a similar class, on the same terms and conditions.

4794. *Chairman.*] Whether they are your own or others?—Yes.

4795. Mr. Alderman *Salomons.*] Those that you discharge for others, of course, pay you, do they not?—Their pay is the same as those we discharge for ourselves. When I say for ourselves, I should state that we are only the owners of one steamer. We have a small interest in others, but we are only the sole owners of one.

4796. Is there any other charge made by the Conservators except this rental?—No.

4797. In discharging the other vessels not belonging to you, do they pay you some sort of toll, or wharfage dues?—All vessels, whether our own or others, pay the same rate for discharge.

4798. That would go, I suppose, in reduction of your rental?—For any rental we pay; we endeavour to reimburse ourselves by our profits.

4799. You say that you got machinery put up in the Victoria Dock, for which you pay a rental, and they have the right to use that machinery?—We pay no rental there, we put up machinery ourselves; we are bound to do a certain quantity or pay upon that, but we have always exceeded that quantity.

4800. Then if you do not use it the Dock Company use it?—The Dock Company have the power to use our machinery free of charge, when not in use by ourselves.

4801. Then if they use it, there is no charge, you get no benefit from it in fact?—They cannot use it when we require it.

4802. Sir *John Hanmer.*] If you had had to pay for that derrick at the ordinary cost price, could you have applied it to the purpose that you now use it for if you had built it?—We could.

4803. You think you could have made a fair transaction of it?—We could.

4804. I believe you did buy it at a very much reduced price?—We bought it at a very much reduced price.

4805. Do you think that your example is likely to be followed, and that other derricks are likely to be erected?—I think, if it is allowed, there is likely to be one other derrick, but not more, because there would not be work for more than one other; last year there was 1,028,000 tons of coals only delivered afloat; I expect to reduce it by 300,000 tons, by the present derrick taking 200,000 tons from the dock to make up the 500,000 which we wish to do there; it will be several years before the trade is so arranged that would reduce the quantity of coals delivered in the Pool to 700,000. Another derrick to have a satisfactory amount of work, must do 500,000, which would only leave 200,000, that 200,000 would be made up with small vessels and part cargoes, which would not be suitable for delivery at a derrick.

4806. *Chairman.*] You think that the profits of the transaction would not introduce any competition?—If there were three derricks, we should ruin one another; the effect of such a state of things must be amalgamation or ruin.

4807. Sir *John Hamner.*] Would not that state of things be applicable to any other trade besides the coal trade?—I think not.

4808. Mr. *Longfield.*] Would the expense of the derrick be too great to allow of such a competion?—I do not see in what way it could be arranged.

4809. Sir *John Hanmer.*] Would the river be too much blocked up?—No; the river would be very much cleared by derricks.

4810. Mr. *Longfield.*] I suppose the expense of the undertaking would be so great that three derricks would not pay?—The fixed charges are very heavy, and there would not be work enough for three; if there were three, one of them must be run off.

4811. Then three would not pay?—No.

4812. Mr. Alderman *Salomons.*] There is this advantage with regard to the coal trade, is there not, that coal is an article that must be consumed immediately; it is not stored?—To a very small extent only.

4813. Then this machine is peculiarly fitted for this purpose?—Yes, for discharging coals, but it is not fitted for storing.

4814. How would it be for timber?—It is not at all applicable to timber.

4815. *Chairman.*] Is it applicable to corn?—I think it might be made applicable to corn; but one such derrick would do for all the corn trade in London.

4816. Sir *John Hanmer.*] Then that would clear the river?—Very much, indeed.

4817. Mr. *Longfield.*] Has the derrick been received favourably by the public?—There was a little opposition on the part of the coal factors only, which is shown in the correspondence; they thought their craft in danger.

4818. And the proprietors of the Victoria Docks said that it interfered with them, I believe; that it lessened their profits a good deal?—It has lessened the amount of work done in the dock; but, except for that derrick we never should have done so much work in the Victoria Dock.

4819. Has it been found a great convenience by those who use it?—Very great.

4820. Does it diminish expense as well as facilitate business?—It does somewhat; I doubt if it would if we had to build one.

4821. On account of the facility which it affords, I suppose?—That is so.

4822. Mr. *Cubitt.*] I think you said you had a lease from the Victoria Dock Company of 99 years?—We have.

4823. And

4823. And that you paid no rent?—We pay a tonnage rate, and we are bound to do a fixed quantity; we do not pay a fixed rent.

4824. Do you pay tonnage or toll?—We pay it and charge it to the ship.

4825. Then you have a lease of 99 years, in consideration of your paying tonnage to a certain amount?—We have.

4826. Then your establishing the "Atlas" in the river does not diminish your obligation to the Dock Company?—Not in the least.

4827. Does that interfere with them in any other way?—We do not do so much work there now as we did before we commenced work with the "Atlas," but we do as much as we can do with advantage.

4928. Do you do as much as you undertook to do?—More.

4829. Supposing the derrick was to be abolished to-morrow, would the Victoria Dock Company derive any benefit from the abolition beyond the extension of your other business there?—The Victoria Dock Company would derive no advantage from the abolition of that vessel to-morrow.

4830. Then, according to that, you would say that the Victoria Dock Company is not in any degree damaged by that derrick being there?—We were doing more work in the Victoria Dock than could be done with advantage, and if the derrick were abolished to-morrow, we must make arrangements to do a portion of the work elsewhere.

4831. Do all colliers which go into the Victoria Dock go to your cranes there?—Very nearly all.

4832. Is there any other persons having cranes similar to yours?—No.

4833. Mr. *Cave.*] Do you say that there has been no increase in the coal of London since 1847?—There has been no increase in sea-borne coals in London since 1848.

4834. You entirely confine yourself to sea-borne coal?—We do.

4835. I mean in your answer?—Yes.

4836. You say that your trade in the docks is pretty much now as it was before that. You do as much in the Victoria Dock as you formerly did?—We do not do so much in the Victoria Dock now as we did before the derrick commenced working, but we were doing more there than we could do with advantage, in order to cultivate a trade for the derrick.

4837. Before the derrick was in existence, where was the rest of the trade done?—We must have made some arrangement to get it done in the Pool but for the derrick.

4838. But, practically, you did not do in the docks all the trade that you now do in the derrick and the dock too?—I think we shall transfer from the dock to the derrick about 200,000 tons.

4839. But, taking what you are now doing at the present moment at the derrick and at the dock, is it as much as you were doing in the dock alone before the derrick was in existence?—It is more; the work is constantly on the increase.

4840. I thought you said there had been no increase since 1848?—Not in the coal trade of London, but in our trade, which is bringing it in large steamers.

4841. How is the other trade managed?—By steam and sailing vessels in the Pool.

4842. As to the discharge of these vessels, do you discharge the coal into these lighters from the derrick directly, or do you keep it in the derrick for any length of time?—We keep none in the derrick; we discharge all directly into lighters.

4843. How is the derrick moored; do you have the patent screw moorings, or merely anchors?—We have two stones on the outside, and two anchors inside.

4844. How far do they extend on each side of the derrick; do they extend any distance into the waterway outside?—A very short distance.

4845. You know the patent screw moorings, I suppose?—I do; but we thought that these stones were better.

4846. The screw moorings, I believe, take up ess room than the others?—I think not; the hole is dredged and a stone is sunk; the space occupied is exactly the same as with the screw moorings.

4847. Why is your towing limited to the Custom-house; is not the crowding greater above the Custom-house than it is below?—It is not so.

4848. Then you think it would not be an advantage to the navigation if you were compelled to tow above bridge?—I think not.

4849. With regard to the ballast, is it not a fact that a great number of ships would never be able to get to Blackwall without ballast; would there not be great danger of ships going down to Blackwall without ballast?—I think not, if they took steam and were end-on-tide.

4850. Suppose it blew hard in the stream, would there not be a danger of their upsetting?—I think not. A great number of vessels do go down without ballast, and take in chalk at the wharfs down the river.

4851. As a matter of fact, a great deal of the ballast is taken from Erith, is it not?—I cannot speak to the proportion; a considerable quantity is.

4852-59. Then your proposition, that vessels should go alongside the dredger, would only apply to those dredgers between Blackwall and London Bridge?—When taking ballast afloat.

4860. Have you any experience of foreign voyages?—Not at all.

4861. Then your answer as to vessels going down without ballast applies to flat bottomed ships?—More to coasters.

4862. Mr. *Lindsay.*] What proportion of the sea-borne coals brought to London are imported in steamers now?—About 25 per cent.

4863. Are steamers employed in that trade on the increase?—There is a small increase.

4864. Seventy-five per cent. of the coal is still brought into port by sailing vessels?—Yes.

4865. Where do they discharge?—Either alongside wharfs or afloat in the Pool.

4866. By what process are they discharged?—By a process called "whipping."

4867. What is whipping?—Four men run up a staging, and then jump down again, and pull up a basket.

4868. Is the work very hard?—Very.

4869. What average wages do these men get?—I think at the present time they only get about 15 *s.* a week, though some, under favourable circumstances, may get 20 *s.* per week.

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4870. And are they constantly employed?—The men in the office are not constantly employed.

4871. How are these men engaged; anywhere?—At the office which is established.

4872. Are they engaged by the master of the ship?—The master of the ship goes to the office.

4873. There is an office to which he goes, and employs them there?—Yes.

4874. What quantity of coals per day, on an average, are discharged from a ship by means of whipping?—The average, I think, is 77 tons.

4875. What dues do those colliers which discharge in the Pool pay to the Conservators of river?—They pay for mooring; I think they pay no dues to the Conservators; they pay for the use of a lighter 5*s.*, but that is for work done. I think I may say they pay no dues.

4876. Do they pay no dues for the moorings?—No.

4877. Do vessels which discharge alongside of your derrick pay any dues to the Conservancy?—No.

4878. I understand you, that vessels discharging coals in the river pay no dues to the Conservancy, whether they discharge in the Pool or discharge alongside of your derrick?—That is so.

4879. What do you receive in return from the Conservators for this rental which you pay to them?—Permission to put the vessel where she is.

4880. But a dozen vessels, which would occupy more space than your derrick, would not be charged?—Three steamers would occupy about the space of our derrick.

4881. And they can lay there without any charge?—That is so.

4882. Then do you know the reason why the Conservators charge you the rental; what do they give you in return for it?—They have given me permission to moor there.

4883. But if you liked to place three steamers there, they could not make you any charge?—No.

4884. Then why make any charge for the derrick, which only occupies the same space; can you tell me?—I have not considered the question.

4885. You get nothing in return, except the right of mooring there?—No.

4886. That right you would have for three or a dozen steamers, if you thought proper to moor them there; is that the case?—It seems to be so.

4887. *Chairman.*] You are not a member of the Conservancy Board, and therefore not in their councils, I suppose?—No; I am not.

4888. Mr. *Lindsay.*] What is the size of the "Atlas?"—She is 250 feet long, 90 feet beam amidships, and the sides are parelled for 90 feet.

4889. And I understand from you that you intend to discharge 500,000 tons of coals per annum by means of that derrick?—We hope to do so.

4890. To what extent, then, will you relieve the Pool of shipping by discharging that quantity of coals?—Supposing the coals to come by sailing vessels, there would be some thirty or forty colliers constantly lying in the Pool upon an average more than at present.

4891. Consequently you have assisted the Conservancy in their duty in one very important branch, the clearing of the Pool of vessels, by the mooring of this derrick at the point where it is moored, for which you pay so many hundreds per annum?—We have done so by our operations in the Victoria Dock, and shall do so to a further extent by our operations at the derrick. Those who recollect the Pool ten years ago will see a marked difference in it.

4892. If another derrick similar to yours was moored in the river, you would clear all these colliers away from the Pool altogether?—I think it would be very advantageous to the navigation, and to all parties concerned.

4893. Then as regards the navigation, the mooring of another derrick would be a great boon to the public, would it not?—I think so.

4894. Do these colliers which so discharge in the Pool require to wait a turn for their discharge?—There is no turn now; there was formerly before the Pool was so much relieved by our operations.

4895. Then formerly vessels coming to London were obliged to wait their turn for sale in the market, and for their discharge?—Yes, in the Pool.

4896. May these sailing vessels that come to London be discharged immediately on arrival?—They may so.

4897. Then are all these vessels consigned to factors?—Nearly all the household coals are so consigned.

4898. And the duty of the factor is to sell the cargo on the market to the coal merchants?—Is is so.

4899. What is the proportion of the household coals to the other description of coals which are brought into London?—Of the three million and a half, one million and three quarters (1,750,000 tons) are household coals.

4900. Mr. Alderman *Salomons.*] Do I understand you correctly that a vessel coming into the river coal laden, can come up anywhere she likes, unless her cargo is sold?—Not unless her cargo is sold; but by special arrangement her cargo may be sold for arrival.

4901. Otherwise, she must still remain unloaded?—Till she brings a certificate to the harbour-master's office that her cargo is sold.

4902. Mr. *Lindsay.*] Are you also a very considerable owner of lighters, as well as a coal merchant?—Yes.

4903. How many lighters do you own?—Two hundred and fifty.

4904. Are those 250 sufficient for your own work?—Only sufficient when the trade is very slack.

4905. Then how many lighters do you hire besides your own?—We have, when the trade is extremely busy, as many as 250 more.

4906. Then I understand, from the evidence you have given, that you, as a lighterman, and an owner of lighters, would not consider it a hardship if it was made compulsory for you to tow your lighters?—If others were obliged to do the same, I think it would be a great benefit to all.

4907. Then, you are of opinion, that it would be a great public boon if it was made compulsory upon all owners of lighters to be obliged to tow?—I do.

4908. Would you extend the compulsory power to vessels, for instance, leaving the London Docks, and

and having to proceed with a cargo to some wharf on the opposite side of the river to the London Docks?—I think it is especially important in that case; I think barges coming out of the London Docks and other docks, and crossing to the other side of the river, to the wharves makes, what we call a "Foul Pool," and causes more damage than anything else.

4909. You think that vessels going short distances across the river, blockade the river more than other vessels, that are coming long distances?—Yes.

4910. But the gentleman who gave evidence before you, stated that there were, on an average, 100 lighters coming out of the London Docks with cargoes; and no doubt those lighters will be bound to different parts of the river, some go up, some down, some across, others merely haul a very short distance to wharfs contiguous to the entrance of the dock; would you in every case consider it desirable to make it compulsory that these lighters should be towed?—In the case of a barge crossing the river, or going more than a furlong.

4911. Would there not require to be a great number of steamboats always in attendance at the London Dock gates?—I think not; one steam tug does so much work.

4912. How many lighters does the tug which you employ tow?—Six.

4913. What quantity of coal is in each of those lighters?—Fifty tons.

4914. What power is the tug?—Sixteen horse.

4915. Consequently a tug of 16 horse-power can tow six lighters with 300 tons weight of coal on board?—Yes.

4916. I presume she could only do so with the tide?—With the tide.

4917. Do you ever tow coals against the tide?—Only upon emergency.

4918. You said that these ballast barges, in your opinion, offered great obstruction to the river, and you are of opinion that it would be desirable, if it could be practically carried into operation, that vessels requiring ballast should go to the dredger and receive that ballast direct from the river into the hold of the vessel?—Yes.

4919. But the dredger, as you are aware, is moored not at Blackwall but at various parts of the river; wherever a shoal is, there the dredger is necessary to remove it. Could vessels, at all times, do you think get alongside the dredger?—I think a light vessel could at all times get alongside the dredger.

4920. And you think that the vessels lying alongside the dredger would not interfere with the working of the dredger?—I think not, on the outside; of course they should not be on the side where the buckets are.

4921. I think you said it would reduce the expense 1*s.* 3*d.* per ton?—The lighters and the heavers would be saved.

4922. The expense of ballast now is not more than 1*s.* 3*d.* per ton; are you aware of that?—I am not; including the heaving, I think it is more. With reference to the number of tugs that would be required at the entrance of the London Dock, or any other dock, one tug would take all the barges across the river; and she would return again and again, making many trips every tide.

4923. But it is not very likely that all these 100 barges would be going across the water, is it?—It would take such as were going across; but the proportion of barges coming from above London Bridge is much less than is generally supposed.

4924. Have you had many transactions with the Conservators of the Thames?—Yes.

4925. Have you been satisfied with the mode in which they conduct their business?—Yes.

4926. Are you prepared to offer any opinion as to the present constitution of the Conservancy Board?—I have not considered how the Board should be elected; but there is Captain Burstall, the excellent secretary, who is a naval officer; and, I think if, instead of the other naval officers, and the Trinity Masters, who were formerly masters of Indiamen, we had mercantile men, shipowners, and bargeowners, it would be better. I do not think that naval officers and captains of Indiamen have exactly that practical knowledge that is required; they have always left their ships when they came into the river; I think if some mode of election could be arranged, by which, in the place of those gentlemen, we could have mercantile men, shipowners, and bargeowners, it would be more satisfactory. I think, also, if there was a Board to which we could appeal, we should be better satisfied; if any important question was given against us, we should be better satisfied if we had some appeal to a larger body.

4927. Then, in fact, you are of opinion that it would be desirable to throw more of the popular element into the Board?—And the practical.

4928. Have you no appeal now, suppose you differ in opinion from the Conservators, or concider that you have a grievance?—Our only appeal is to Parliament. We gave notice of our application to Parliament in reference to this derrick.

4929. Upon what ground did you give notice?—It was refused.

4930. It was refused by the Conservators?—Yes.

4931. Upon what ground did they allow you to moor the derrick there?—They did not give me the ground.

4932. Have you considered how a Conservancy Board should be elected?—I have not.

4933. Have you considered what department of the Government you would have to appeal to?—I think it should be a larger Board to appeal to from the working Board.

4934. You do not mean by that, that you would have two Boards for managing the river?—I mean that I would have one large Board, with a working Board; for instance, supposing we had a number of gentlemen landowners to the number of six, and six magistrates from the four metropolitan counties, any court of appeal of that sort, I think if there was a larger Board that we could appeal to from the working Board, we should have been better satisfied if the decision was against us, if we could have some appeal. I know I felt very much dissatisfied when it appeared that the decision was against us in the case of this float.

4935. Would it not be better if an appeal is to be allowed that it should be made to some department of the Government; for instance, to the Board of Trade?—I would rather appeal to a committee of landowners and other gentlemen.

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4936. Do you not think that such a system as that which you have shadowed forth, would be somewhat impracticable?—My opinion is really not of any value as to this; I have not considered the practical working of this kind of thing.

4937. In point of fact, the other Board you speak of would simply be a Board of Appeal?—Yes.

4938. How would you elect the members of the Board?—I have not considered the question, and my opinion is of no value as to that.

4939. *Chairman.*] You gave notice of an application to Parliament, in consequence of the hesitation of the Conservancy Board to grant you power to moor the derrick, I presume?—It was so; it is referred to in the correspondence.

4940. Mr. *Lindsay.*] Were they long before they granted you permission to moor the derrick there?—It is shown in the correspondence; I think it is nearly six months.

4941. Then, in fact, the Conservancy Board were nearly six months in considering the application?—There were several applications.

4942. For others?—No, from us; we applied first for the Pool, and then for other places, as shown in the correspondence.

4943. Mr. *Longfield.*] I suppose that hesitation arose from their thinking that the places which you applied for were inconvenient?—I do not know from what it arose.

4944. Finally, they allowed it to be moored in its present place, where it is no inconvenience to the public?—I consider it is a very great convenience to the public.

4945. And no inconvenience to the navigation?—I think not.

4946. Mr. Alderman *Salomons.*] But you seem to think, that you would not have got it without a pressure; you put the pressure of Parliament upon them?—On the contrary, I think the Conservators were not annoyed at all at the application, or they would not have given it to us.

4947. Mr. *Cave.*] Do you agree with the other witness that the river was unusually clear the other day when the Committee went down?—It was unusually clear.

4948. Mr. Alderman *Salomons.*] You own a great many lighters. I suppose the men in those lighters are men licensed by the Watermen's Company?—They are.

4949. Do you think that any advantage would accrue to the public if the trade were thrown open to everybody without being licensed by the Watermen's Company, and merely holding a certificate of competency?—You do not want the assistance of the Watermen's Company in selecting competent men; at the same time I do not think we pay our lightermen any more than they deserve; I do not think we should get them any cheaper.

4950. Do you think any advantage would be derived from their having any ticket of competency without being licensed by the Watermen's Company?—I think we might be trusted to select competent men to take care of our property; still I do not think we pay any more for these men than they are entitled to have.

4951. You do not think that you pay more than the fair market value of their labour?—I think not.

4952. And they are men qualified for their duties?—They are well qualified.

4953. Are they a sober race?—Yes; as much so as men of a similar class.

4954. You have a great many servants; are there many amongst them who do not come to their work regularly in consequence of being drunken?—I think we are fortunate in having good servants.

Mr. John Downey, called in; and Examined.

Mr. *J. Downey.*

4955. *Chairman.*] You are a licensed lighterman and wharfinger at Millbank, Wapping, and Nine Elms, I believe?—Yes.

4956. How many barges do you own?—About 100.

4957. Do you own also a steam-tug?—Yes.

4958. How many men and boys do you employ?—About 70 men and boys.

4959. You pay a very large amount per annum as wages for labour, I presume?—About 6,000*l.* a year.

4960. What do you pay for poor-rates?—About 150*l.* a year.

4961. Are you connected with the Watermen's Company?—Yes, I am Junior Warden.

4962. I dare say you can give us some useful information on the subject of ballasting ships; do you think it desirable that the ballasting of ships on the Thames should be vested in the Conservators of the river?—The Conservancy have to dredge the shoals away from the bottom of the river, and very often the shoal would do for ballast for ships, and has been used for that purpose.

4963. And inasmuch as they must raise the shoals, they could supply ballastage cheaper than persons who were under no such obligation in raising the ballast: is that what you mean?—I think they would be at a less outlay, because I take it that the Trinity House has three dredgers, and the Conservators have three dredgers, which are in existence at the present time; perhaps two out of those six might be saved, and the consequent expense.

4964. Do you think it would tend to economy, and probably to a reduction in the price of ballast?—Yes.

4965. Do you think it would be desirable to throw the ballasting of ships in the Thames open to the public, as it is elsewhere?—I do not, and for reasons which I can give.

4966. Will you state your reasons?—The supply must, I think, come from the bottom of the river. I do not see where we are to get a sufficient supply, when there is an extensive demand for it, except from the bottom of the river; if it were thrown open for anybody to get it to supply the ships, I fear that you would have your bridges and your embankments undermined.

4967. Could

4967. Could not the dredging be conducted below-bridge, as it is conducted above-bridge, under the direction of the Conservancy Board?—Below-bridge there are embankments, which you must not go too near.

4968. Therefore the Conservators would not allow the dredgers to go too near?—I think it would be an inconvenience to the ships if it was thrown open. Suppose, for instance, I had a dredger, and I had a great number of orders for ballasting vessels; just as I am beginning to execute my orders for ballasting those vessels, I may be ordered away by the regulating body to some other spot, which would prevent me at the moment supplying the want.

4969. Do you know the mode by which the dredging operations are conducted above-bridge, under the powers from the Conservancy Board?—Yes.

4970. Could that system be applied to the dredging below-bridge?—Yes; but the demand at present for ballast from the above-bridge dredgers is nothing like what the demand will be occasionally for a fleet of ships, after having been windbound some time; they must get discharged rapidly; they want their ballast rapidly, to be off again.

4971. Would not the regulations of the Conservancy Board be sufficient to control the operations of the dredgers?—I think there would be the inconvenience I have stated.

4972. Notwithstanding the regulations?—Notwithstanding the regulations.

4973. You still adhere to that?—Yes; I have said that, in my mind, I cannot see that it would be good policy. I should be glad individually, for I should be likely to get a good share of the ballasting of ships, from my central position at Wapping.

4974. You would not recommend any power of dredging in the river without a license from the Conservators, I presume?—Certainly not.

4975. What has been the practical effect of the management of the river by the present Board of Conservators; has it been generally well done?—I think it has been well done, and honestly done. I had to ask them for a certain jetty at my premises at Millbank, which they did not think proper to accord to me, because they thought it would be in the way of the navigation; and being so much employed by them as I have been, I think they would have given it me if they could; therefore I say they act honestly and fairly.

4976. And, generally, do you consider that they have expended the funds entrusted to their care judiciously and economically?—Yes; I have taken considerable sums of money from them for lighterage, but I know they would never pay me too much. I have been before them several times, and I have always been received courteously.

4977. With respect to the mooring regulations of the present Board, are you satisfied with them?—Yes; the moorings are improved, but I object to private moorings being taken away without compensation.

4978. Have you been the owner of any private moorings?—I have two places now that I consider mine.

4979. Are the Conservators going to take them away?—They have not said so yet.

4980. Should you say, from your knowledge of what has gone on at this Board, that the members of it have been assiduous in the discharge of their duties?—Yes, decidedly so; and the officials also.

4981. Have the members of the Board given a great deal of time and labour to the performance of their duties, notwithstanding they have not been compensated for their services?—Yes; you will find them there every Monday and Friday.

4982. If there should be any alteration in the present Board, would you think that a system of representation was a wise principle to adopt?—I would rather leave well alone; although I am a reformer, still I know that the Thames Conservancy Board is only four or five years old, and it has worked so well that I, for one, would rather leave well alone. I am contented when everything is well done.

4983. But in the event of any alteration being made, if, instead of the principle of nomination, by which the Board is now formed, the principle of representation were adopted, should you object to that?—No; if it must be, I do not object to it.

4984. With respect to the Watermen's Company, are you satisfied with the operations of that company upon the navigation of the river?—I am.

4985. Do you think that the duties which are discharged by the Watermen's Company are absolutely necessary for securing it?—I do. If I could see my way to getting cheaper labour, spending so much as I do every year, I should be willing to do it; but I was in attendance almost every day when the new Act was obtained, and it was well canvassed then.

4986. You employ, of course, a large number of freemen of the Watermen's Company?—Yes; and I am satisfied that skilled labour is necessary, and that apprenticeship is the way to get it.

4987. Could you not have skilled labour by other agency than by that of the Watermen's Company?—I do not think so; all the evidence I hear from unpractical men convinces me of that more and more.

4988. Would you, as the owner of a large number of lighters, entrust the management of those lighters to any person whom you did not consider competent to navigate them?—Certainly not.

4989. Then do you consider that you yourself derive advantage from the intervention of the Watermen's Company in the employment of your labourers?—Yes; I consider that I have a stock of men who are approved by a company of practical men who know how to approve them.

4990. You think that unless the Watermen's Company had approved of these men as navigators, you would have to go through that work yourself: is that what you mean?—Yes, I mean that. I am a practical man myself; I served my time at it, and worked at it; and I believe that if it were not for the Watermen's Company, whenever I had a pressure of business upon me, which I have occasionally, from a fleet of ships or barges coming in, it is now and presently, slack and busy, I should have men offering themselves for wages, and by the time I had found out that they would not do, I should have my barges sunk by their experimentalising upon them.

4991. Do you find any such body as the Waterman's Company protecting the navigation of other great rivers in the country?—No, I do not; but I think the Thames is different from other rivers. There are so many metropolitan barges

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in the Thames. I call them so, because I think some gentlemen of the Committee imagine that each barge has a man always in it. It is not so; one of my men will navigate six or seven different barges in a week. They do not live on board; it is quite different to other barges; they only have a pair of oars, and a rope called a head-fast.

4992. You said just now, that you were the owner of a tug; do you employ the tug now?—In my own work, but only when I require her.

4993. In towing barges, do you mean?—Yes; she is too expensive a thing to employ when we do not want her. I heard some evidence to-day about the general towing, which I do not agree to.

4994. In what respect do you differ from it?—I think it is quite unnecessary. A tug will cost the best part of a thousand pounds a year to keep up; and if you put that expense upon the towing, where it is not necessary, you will double the lighterage to the public. Besides, you insist upon a man being towed, whether he will or not; you might just as well insist upon a man taking a cab in the street, when he might prefer walking.

4995. Sir *John Hanmer.*] How can a tug cost a thousand a-year?—She will burn a pound's worth of coal a day, and at night too, if she is at work; then there is the crew, the repairs, and the reproduction of herself; it is not much under a thousand a-year.

4996. *Chairman.*] What is the tonnage of your tug?—I should think about 50 tons.

4997. For what purpose do you employ it?—When I have a large contract (perhaps I have to load 20 barges in a day from a certain place, to take them to a certain place, and bring them back with adverse winds and bad tides), I cannot get my work done except by means of the tug; I can then ensure getting them to their destination each way, and so keep the work going.

4998. Then you use it only in cases of emergency, when dispatch is required?—That is all.

4999. In your ordinary business you would not do it?—No, because I can do without, and save money. I heard my friend Mr. Pillow give evidence about the towing, and about a second hand; I differ from him in that respect. The second hand, to my mind, is the apprentice; a large barge, over 50 tons, is a workshop for the apprentice. I employ apprentices from 5*s.* a week to 20*s.*; and as soon as a boy has served two years, he becomes my second hand at, perhaps, 10*s.* a week. His labour is extra on the large barges, but that will not be anything like the cost of a tug towing the barge with one man.

5000. Mr. Alderman *Salomons.*] You employ a great number of men?—Yes.

5001. What is your experience as to the habits of the men; are they sober?—We have excellent men. I will say a word upon that head, if you please; the men are not well understood out of our trade. They have to work at all hours of the day and night, in all sorts of weather; if you reckon the hours round, begin at one, two, or three, and in the night they work very hard; the weather is against them, but they never think of shirking their work because it rains hard. They are not constantly under the supervision of a foreman, like men in a workshop, or like sailors on boardship; if I give my men orders overnight, perhaps I do not see them till the next night; then, from the nature of the work, they must have nerve to do it. I don't want to see a supercilious set of men, who will touch their hats to you; they would not be able to do their work, and in the night-time it is very easy to run against a bridge. I call them freshwater sailors; and if they are rather rough in their behaviour, I put up with it, because I know it is necessary, from the nature of their business.

5002. As to their moral qualities, are they a sober class?—Yes, our men are.

5003. Do you think that that class of men are improving, relatively, as all other workmen have improved. I suppose they have some education; they can read and write?—Yes, they do improve. I can remember men, in my father's time, who could not read or write, but in my time they do both read and write.

5004. And are they a sober class?—Yes; and some of them are rather a superior set of men.

5005. Mr. *Lindsay.*] You say that if bound to employ a steamer it would double the cost of barging?—I only meant in the smaller trade; in our large contracts it would lessen the time.

5006. Apart altogether from being relieved from the two hands on board?—Yes. I was thinking more of the little men than the larger men; the little men have three or four or half-a-dozen barges; if obliged to tug he cannot do his work without getting more money for it.

5007. Would it pay an owner of a steam-tug if he had constant employment, at 5*s.* a barge, in bringing the barges for instance from Blackwall to London Bridge?—I do not think it would, because I used to try that, and that was the price I put when I did not want my tug myself. I used to tow anybody for 5*s.* each distance, and it did not answer.

5008. Of course they tow more than one barge; usually half a dozen?—Yes.

5009. Would 30*s.* not pay the owner of a steam-tug?—No; if that was all he did that day, it would not pay.

5010. But presuming she had constant employment?—It might if she had constant employment.

5011. How much would that be on the goods; it would be very little more than a penny per ton, would it?—Fifty is an average; yes, a little more than a penny.

5012. So that it would not greatly enhance the cost of barging these goods?—Well, I suppose I said too much when I said double.

5013. I understand you to say that you are a member of the Waterman's Company?—Yes.

5014. And you do not think it would be desirable to abolish the monopoly?—I do not call that a monopoly; we masters have no monopoly; and although I have served my time to it I pay my quarterage, and have got my freedom, and taken my apprentices; Mr. Cory never did, he has more barges than I have, so there is no monopoly for the masters; it is only a regulation for the men that is necessary for the navigation of the Thames.

5015. Is it not the case that every man that plies on the river is bound to be a member of the Company?—Not a member.

5016. Or licensed by the Company?—Mr. Cory's barges are registered by our company.

5017. And all the men employed on the river must be licensed?—Yes, must have served their time.

5018. Consequently, if you wished to employ other

other men, you could not do it?—No; and if I could, I would not do it.

5019. But if you got men equally as good, presuming they were so, and you could get them at a lower price, would you not employ them?—But I am certain I cannot, from my experience.

5020. Do not you think that competition in the business of a bargeman would have the same effect as it has had in the other branches of business?—I do not think it would; but I find many a man thinks he can row a boat, and he does so, and drowns himself; he finds it out too late that he cannot.

5021. You would have no necessity to employ the man because he thought he could row a boat; you would judge for yourself?—But by the time I have judged for myself he has taken my barge away, and banged her against a bridge.

5022. You would not employ a lazy, idle fellow; you would satisfy yourself that he was competent?—How am I to be satisfied till I know that he has served his time, and has got the hall-mark, so to speak, of the Watermen's Company?

5023. Is any charge made for mooring buoys in the river?—I am not aware of any.

5024. Then what advantage has a private person in having a buoy?—I have a buoy at Westminster; I call it my junk, and I have a preference there; but if other men come and lay their barges there I do not turn them away; we never do from each other.

5025. You make no charge?—No, we never think of that.

5026. Then, in point of fact, the privilege of having a buoy of your own is simply for your own convenience?—Just so.

Veneris, 12° *die Junii*, 1863.

MEMBERS PRESENT:

Mr. Blackburn.	Mr. Hutt.
Mr. Cave.	Mr. Lindsay.
Mr. Joseph Ewart.	Mr. Locke.
Sir John Hanmer.	Mr. Alderman Salomons.
Mr. Hankey.	Mr. Somes.

THE RIGHT HONOURABLE WILLIAM HUTT, IN THE CHAIR.

Mr. WILLIAM STRANG, called in; and Examined.

Mr. *W. Strang.* 12 June 1863.

5027. *Chairman.*] YOU are, I understand, a shipowner?—Yes.

5028. And a partner in the firm of Gilmour, Rankin, & Co.?—Yes.

5029. Are you acquainted with the manner in which the shipping business is carried on upon the three rivers, the Thames, the Mersey, and the Clyde?—Yes.

5030. Without comparing the natural circumstances of those three rivers, should you say that the regulations upon the River Thames are as judicious and as well devised for the accommodation of the shipping as they are upon the other two rivers which have been mentioned?—Yes; I think they are.

5031. Quite as good?—Yes, with some exceptions.

5032. What are those exceptions?—With regard to ballast; that is the item which I have come to speak to more particularly.

5033. Will you state your objection to the system of ballastage that is adopted on the River Thames?—In the first place, it costs very much too high; that is to say, it is more than double the price that it is in the Clyde, and just double what it is at Liverpool, and one-sixth more than it is at Hull. In the Tyne, there is no ballast at all; but it may be taken as a rule, that it is double the cost to what it is in the smaller ports. Then, we are frequently subject to considerable delays in getting it; and of course, dispatch in our trade, the American trade, is of very great importance. For instance, a large ship, of 1,200 or 1,800 tons, arrives in July, and we are very much limited for time, as the Canada season is short ——

5034. Do not at present go further into the question of delay, but state any other objection that you have to the system of ballastage as it exists in the Thames?—The quality of the ballast is very objectionable; it is taken out of the river and put into the ships in a very wet state, and the greater demand there is for ballast in the river, the worse the quality becomes; but we are glad to take it from them in any way in which they are pleased to send it, so that we may get away.

5035. Is there an objection with respect to using the ballast twice?—Yes; that is a trifling objection, it is not of much importance; the rule is rather arbitrary in that respect, but I do not think it is very worthy of the notice of the Committee. There is another objection, and that is, that they make us pay for it whether we get the ballast or not; but, as I said, I do not value that objection much, it is but a trifling one.

5036. The great objection, as I understand you, is as to the price of the ballast?—Yes, as to the delay and as to the quality; but we are very glad to take it as they send it to us and get away, for the demand is great.

5037. You said that the charge was higher than it is upon several important rivers with which you are acquainted?—It is.

5038. Do you imagine that it is higher than it might be obtained in the Port of London, if the ballast was not a monopoly in the hands of those in whom the law has placed it?—Decidedly so.

5039. Can you give the Committee any statement as to the comparative difference which might be found in the price of ballast under the free system, and the price under the system that now exists?—The present cost of ballast is 1*s.* 7½*d.* per ton. I believe it would pay the Trinity House very well at a 1*s.*, and that would be very satisfactory to the shipowners generally.

5040. Supposing it were in the hands of private persons, who only obtained a license from the Trinity House, or the authority under whom the ballastage might hereafter be placed, do you think you would obtain the ballast cheaper than you would under any regulation of a monopoly?—We should get it cheaper than we do at present, decidedly, because in the other ports that I alluded to there is no monopoly, and therefore we get it very much cheaper. For instance, at Greenock it only costs ninepence a ton put on board, here it costs 2*s.* 1*d.*; in Glasgow it costs about a shilling put on board; at Liverpool it costs from tenpence to fifteenpence; at Hull it costs 1*s.* 9*d.*; there it is got from the Corporation in the same way; it is high in price, and of very bad quality too.

5041. Do you think there would be a facility for obtaining a better description of ballast than you get now from the Trinity House, if the monopoly which now exists were abolished?—I do not think there would be very much improvement in that respect, except that we should be in a position to refuse what a contractor sent us that was really objectionable; now we are not in a position to do so.

5042. Now you must take what is offered to you, you say?—Yes, or go without.

5043. You are, I think, largely interested in the American trade?—Yes.

5044. Do your ships, proceeding from the Port of

of London, go chiefly to North America?—Altogether, or nearly so.

5045. You complain of the delay which takes place in providing you with the ballast which you have demanded from the Trinity House?—Yes.

5046. Do you suffer considerably from that delay occasionally?—It sometimes causes several days' loss of time.

5047. Is that delay, at certain periods of the year, exceedingly injurious to your interests?—Exceedingly so.

5048. How?—Of course, as the Committee must be aware, with shipping going to North America, every hour's delay is of importance, because one or two days may add to the insurance on the value of your ship one or two per cent.; every week alters the cost of insurance of a ship. Then delay increases the wear-and-tear of a ship in going to North America late; we are anxious to get away as soon as we can in the fall of the year.

5049. Are you likely to be obstructed by the ice in the fall of the year?—Yes.

5050. That is also an objection, then?—A most material one; it increases the risk and danger of the navigation.

5051. Would that same objection apply to vessels going to the Baltic?—Just the same.

5052. The quality of the ballast is, I understand, also a matter of complaint?—Yes, it is.

5053. Is it inferior to the ballast that you get in the Mersey?—Yes, generally. Sometimes you get it bad there too; but there we have the advantage of taking other things, such as salt and coal, sometimes in the fall of the year. At Liverpool also, and in the Clyde, if we see there is to be a large demand for ballast, and the ships are likely to be detained, we go and buy salt and coal, and therefore, to a certain extent, we are more independent there than here; we can get nothing else here, and we must take the ballast.

5054. Do these obstructions which you complain of, arising from delay and from an inferior quality of ballast, ever lead the shipowner to obtain ballast by illicit means?—I cannot answer that; we have never done it.

5055. Have you ever heard of such a thing?—I know that the foreign vessels generally, rather than wait, go down the river and get ballast at private wharves; that is a thing that we might probably do also, but we cannot; our ships are so large that they cannot go near the wharves.

5056. Mr. *Cave.*] That is not contrary to law, I think?—No, it is not; the foreign ships have the advantage over the very large British ships in this respect, that they, being generally under 400 tons, are able to go down to the private wharves and get ballast cheaper, and with very great rapidity, and, of course, they can reject what they were not satisfied with.

5057. But there is no irregularity in that, is there?—No, none whatever.

5058. *Chairman.*] Have you ever heard of any irregularity in the way in which ballast is supplied within the jurisdiction of the Trinity House?—No; I do not think I ever heard of any.

5059. Do you find an increasing difficulty in obtaining ballast in the Thames?—No, I think it is not increasing; the facilities are quite as good as they were 10 years ago; I think rather better.

5060. Are your ships iron or wood, chiefly?—Chiefly wood, for the American trade.

5061. And do they suffer much from the wet ballast now supplied?—The old ones suffer very much; that is to say, the sand gets down among the timbers, and washes down to the pumps, and sometimes chokes the pumps: that is the danger of carrying the London ballast generally, but with a good ship, that is not of very great importance.

5062. With respect to iron ships, is not ballast supplied in a wet state very objectionable?—Very much so, because, of course, it would keep moving in the iron frame of the ship, and wear it away, and damage the plates, and so forth; we generally get it very wet from the Trinity House. We have always looked upon it as honest weight when we have started, but by the time we have made the voyage out it decreases 10 per cent., and there sometimes is danger in that respect; if you get ballast out of the river very wet, and it loses in weight considerably by the process of drainage, it makes the ship very light, and sometimes dangerous and unmanageable in consequence: that arises from the water draining out of the ballast, so that when you come to discharge the ballast it is from 10 to 15 per cent. less in weight than when taken on board. I have known a ship that would not come in to the wind owing to the decreased weight of the ballast, and on that account we always take in more in London than we do in other ports.

5063. Because you find the ballast is generally supplied in a wetter state than it ought to be?—Just so; it is taken out of the river, brought alongside, and put on board in a very wet state.

5064. In that respect, is the ballast inferior to that supplied in the Clyde and in the Mersey?—Yes.

5065. And in the Humber?—No, it is quite as bad in the Humber; but in other places we generally get good ballast; that is all got from the shore; but here, and in the Humber, it comes straight out of the river, and is of course very wet.

5066. None of your vessels clear out of the Tyne I understand?—No, not generally; we do not get ballast there; we have sometimes cleared out of the Tyne, but not very often.

5067. Are you perfectly satisfied with the constitution of the Conservancy Board?—No; I think it could be very much improved.

5068. How would you propose to improve it?—I would make it a more general representation, representing the interests which are involved in the river.

5069. You think it desirable to make it a body representing the interests upon the river?—Yes, decidedly so, of shipowners, and others connected with the river. I do not know exactly the constitution of the present Conservancy Board, but it would be certainly very much better if the shipowners, the wharfingers, and other public bodies were fairly represented. I may say, that with respect to the ballast, I believe I speak the feelings of the Shipowners' Association; with regard to the monopoly, they have a great many complaints to make about it.

5070. Mr. *Cave.*] I suppose at those coal-ports to which you refer there is a superabundance of ballast?—Yes; there it is all going one way.

5071. The difficulty is to get rid of it?—Yes.

5072. Therefore the quality would naturally be better?—Yes. There is hardly such a thing as a ship going into a coal-port and coming away in ballast again; you pay for getting rid of it there.

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5073. Is it not rather in the nature of things than in consequence of any fault in the Trinity House that the ballast in London is inferior?—Decidedly so. I do not think that any change would make much difference in the quality, except that you could reject what you thought was downright bad. I have sometimes seen mud come alongside, which is very objectionable.

5074. Would it not be the same if it was in private hands?—No; we could then say, "We won't take it, you must take it away;" but now we are very glad to get it anyhow.

5075. Because the delay would be more injurious?—Yes.

5076. I suppose the pressure for ballast varies very much at different times of the year?—Yes; it generally comes with a great rush at one time.

5077. Would it not be very difficult indeed to regulate matters so that there always should be a supply, when the pressure is so unequal?—It would be to a certain extent difficult, but it could be overcome very easily with a little forethought and prudence in anticipation of these large arrivals.

5078. In what way would you propose to do that; would you have a store of ballast on the shore?—That would be one way, and you could have it in lighters lying alongside, or in the docks, or in some place in the river. I believe many contractors would be very glad to do that.

5079. But would it not be the case generally, that there would be superabundance at one time of the year and scarcity at another, even if it was in the hands of private contractors?—Yes; there would not be much change, except that with a private contractor you would have a little more control than over a large public body. There would be competition in all probability, and you would be able to overcome many of the grievances that you have now to contend with.

5080. At the same time, would it not be likely that the price would be very much raised to the shipowners in the times of scarcity?—I think that large shipowners would contract for it all the year round at a moderate price; they could very easily get respectable contractors to do that.

5081. If it were managed as you propose, do you think you could get the price down as low as at the ports you mentioned?—No, not quite so low. I should be perfectly satisfied to pay about 1 *s.* 6 *d.* per ton on board; that would be double what it is at Greenock, and one-third more than at Glasgow and Liverpool.

5082. *Chairman.*] The demand for ballast, I apprehend, is much greater upon the Thames than it is upon any other river?—No doubt; and in the other ports we can purchase salt and coals, which are at all times saleable in North America, and thereby we are more independent.

5083. Mr. *Cave.*] Have you made any calculation with respect to the price ballast is likely to be at the Port of London?—Yes. I think it could be done at 1 *s.* alongside, that is 7½ *d.* less than it is at present; 1 *s.* to 1 *s.* 2 *d.* would pay a person considerably well.

5084. Upon what grounds do you base that calculation?—From information I have with respect to the cost of getting it up and bringing it alongside the ships. That would leave a very fair margin; for instance, I believe above-bridge the contractors pay a considerable rent to the Thames Conservancy for ballast engines, 400 *l.*, 500 *l.*, or 600 *l.* a year; at all events, I understand they pay 200 *l.* an engine. They pay that, and yet they are able at all times to give the builders from 20 to 23 hundredweight, for under 1 *s.*, of much better ballast than we get; that is to say, it is gravel fit for making concrete. I understand that is a fact; and of course there is a large demand upon these contractors by builders in different parts of the metropolis. And there is another reason why I say it could be produced at less: the Trinity House make yearly 9,000 *l.*, (or did so last year) profit upon the ballast transactions. That is the best argument, I think, that I can use to show that it will be produced at less.

5085. Of course you must take into consideration the profits of the contractors?—Yes; I think the saving in expense that the contractors would probably make would be a profit to them. A large corporation cannot manage so economically as a contractor could for himself.

5086. With regard to the constitution of the Board of Conservancy, your remarks are theoretical, as I understand; they are not founded upon any complaints?—No; I have no complaints to make against them at all; in fact, I do not come in contact with them.

5087. Would you say that, in spite of their constitution, they have done very fairly?—I think, latterly, they have been making a good many improvements upon the river.

5088. But if you had to organize such a body, you would not constitute it in the way it is now constituted?—I scarcely know the way in which it is constituted. I only know that the shipowners, who pay a large amount to their funds, are not represented; neither are the wharfingers, or other large interests. At present I fancy it is constituted by certain members of the Corporation.

5089. *Chairman.*] Upon a principle of nomination?—I really scarcely know how it is.

5090. Mr. *Cave.*] Do you think that a Representative Board would be as independent in its course and in its decisions as one that was entirely independent of all connection with those interests?—I think it would, because a certain portion of it would be nominated by the Admiralty, the Trinity House, and other independent bodies. At present, at Liverpool, the very large Harbour Board is entirely elected by the ratepayers, except four, who are nominated by the Government, and the work is uncommonly well done there.

5091. But not better than by the Board in London, you say?—I have no complaint to make against the Board in London; but the amount of work which the Board at Liverpool has to do is a thousand times more than it is here; here it is merely nominal. The interests confided to the Board at Liverpool are something enormous.

5092. *Chairman.*] Do the authorities which are charged with the management of the Clyde give satisfaction in that river?—Yes, they have made wonderful improvements there. At one time, as the Committee is probably aware, you could not take a vessel up the Clyde drawing more than six or eight feet of water; now the largest ships can be taken up. It was a miserable river until the trustees took it in hand.

5093. The present Board has been regulated by a recent Act of Parliament, has it not?—The Clyde Trust has been in operation for a number of years. I cannot say how long; it is pretty much an Elective Board, representing the interests of

of parties generally; of course there are some members from the Government and the Board of Trade.

5094. Do they generally give satisfaction to those who are engaged in the shipping?—Decidedly so.

5095. Mr. *Cave.*] How would you enable the shipowners to elect?—They could elect one of their members from the association, and the same as to the wharfingers; they could elect one from the Wharfingers' Association.

5096. Does the Shipowners' Association comprehend a great number of the shipowners of London?—I think it represents the bulk of them; there are, of course, exceptions.

5097. Do you think it would be the best plan to let each association send members from its body?—Yes.

5098. The association being supposed to represent the interests of the whole body?—I think so, because these local interests would have local purposes to serve; whereas the shipowners, or the members of the Wharfingers' Association, would not have to serve any particular locality.

5099. Mr. *Ewart.*] Would you have the dock companies represented?—Decidedly, by one or two members; and probably there should be a member for Lloyd's Committee, a certain number for the Corporation, and for the Admiralty, and other bodies, so that it should be constituted in a perfectly independent manner.

5100. Sir *John Hanmer.*] What are the principles of the Clyde improvements; what have they done there?—They have made a very large river out of a very small stream, and they have made immense harbour-works.

5101. Has that been by dredging?—By dredging, and almost by building up walls or dykes, as they call them there. It is a very great work indeed; it is hardly possible to believe that such a small river could have been made of so much importance.

5102. How long has it been about?—Probably 20 years.

5103. At a large expense, of course?—Very large, enormous!

5104. Mr. *Ewart.*] Have you ever heard any complaints of the Mersey Conservancy Board?—Of course there are always some.

5105. But generally, does it give satisfaction?—They give the utmost satisfaction; the interests represented there amount, I may say, to hundreds of millions. They have not only the river to attend to, but the whole of the docks and other property; it is an immense interest.

5106. The Board itself sits once a week, I believe?—Yes.

5107. And the different committees sit, upon an average, nearly every day?—There are some committees sitting every day. The general committee sits, I think, every Thursday. Then there are sub-committees, such as the works committee, the finance committee, the general traffic committee, the quay inspectors' and the warehouse committee, and I do not know how many others.

5108. From what you say, there would seem to be some difficulty in making the Thames Conservancy Board upon the plan of the Liverpool Board, because the Liverpool Board is elected by the ratepayers, that is to say, the payers of the dock-dues. In London it would only be represented, according to your suggestion, by the Shipowners' Association, the Wharfingers' Association and the general dock companies?—Quite so; I do not think you could elect them in the same way that they do at Liverpool, because there would be a difficulty in ascertaining who were entitled to vote. I think it would be very much better to constitute a body by gentlemen from the different associations, so that the whole would be properly represented.

5109. As regards the ballast, I believe in Liverpool you never take in any gravel?—No; it is all taken from the shore.

5110. What ballast do you take from the shore?—It is stuff that is dug out from the foundation of works that are going on on the shore.

5111. You do not take anything out of the river?—No.

5112. Not sand, or anything of that kind?—No.

5113. In Liverpool your facilities for getting ballast arise from being able to get coal at a reasonable rate?—Yes, and salt.

5114. That is all saleable, particularly in North America, where you sail to?—Yes.

5115. Do you take much iron?—Sometimes.

5116. Is it not a bad kind of ballast for ships?—In a well-found ship in our trade, we generally have a little of the kentledge, which perhaps you allude to; but independent of that, these large ships will want four, five, or six hundred tons of stuff to carry them across.

5117. But you could not have a large quantity of iron on board without other goods; it would be too heavy a weight, would it not?—Yes, it would be too low in the ship; we must raise it up to equalize the weight.

5118. *Chairman.*] Are you acquainted with the mode in which the Conservancy Board obtains ballast above-bridge in the Thames?—Only by report.

5119. The plan I understand is this: to grant licenses to persons who dredge for the ballast under the direction of the Conservancy Board?—That is what I have heard; and these parties are enabled to pay as much as 200*l.* a year per engine, and they sell it to builders, for making concrete and things of that kind, at a very much cheaper rate than we pay for the stuff got below-bridge.

5120. There seems to be a profit of between 600*l.* and 700*l.* a year derived from that source?—I understand so.

5121. Do you think that system would be judiciously applied to the river below-bridge?—Decidedly so; I think that competition would bring forward certain contractors, who would be willing to place their own engines, or arrange with the Conservators to take the ballast away from their engines, and to be entirely under the control of the Conservators, or the parties who are looking after the deepening of the river, and the contractors would be able to bring it up at a more moderate rate than is paid at present.

5122. And perhaps to supply it in greater quantities when the pressure takes place at the fall of the year?—I think it could be managed, with a little prudent forethought, subject to delay as now, to a certain extent, but not so bad; because a contractor would make it his study, and it would be his interest to serve the persons who were paying him regularly.

5123. Mr. *Ewart.*] When you want to send out vessels from Liverpool in ballast, can you dispatch them much more quickly than you can in London?—Very much; I have seen a ship

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ballasted there in 20 hours from the time she was discharged, by working all night; here we are very glad, indeed, if we get off in six, seven, or eight days.

5124. Do you find that there is ballast in London sufficient for you when you want it, or is there frequently a scarcity of it?—Very frequently there is a scarcity just at the time we want it; there is generally a large demand.

5125. But in Liverpool, when you want to take salt as ballast, there is always a plentiful supply to fill the vessel almost immediately?—Almost immediately.

5126. And the same with coal?—Yes; by a little arrangement we can always get some waiting for the ship.

5127. Mr. *Hankey.*] I understand you to say that you consider the Thames to be generally managed in a satisfactory way for the benefit of the shipping?—Yes, I think so.

5128. Does that apply to vessels navigating up and down the river as far as the banks and shoals?—Yes, quite so; the river is in a very good state now in that respect.

5129. Do you consider it better now than it was 10 or 20 years ago?—It has decidedly improved; it is improving every day, I may say.

5130. Then you consider that sufficient attention is paid by the Trinity House to that subject?—By the Thames Conservancy; I believe they have it under their control.

5131. But the Trinity House also has a jurisdiction with regard to lights and other matters beyond the Thames Conservancy, has it not?—Yes.

5132. Is that well attended to?—It is exceedingly well managed.

5133. There is a charge upon all shipping, is there not, for the payment of expenses connected with the Conservancy of the Thames?—There is so.

5134. Is it a heavy one?—No.

5135. Is it a heavy one compared with the other points to which you have alluded?—I think not; I think it is just about the same.

5136. *Chairman.*] It is rather less than it is in the Clyde, is it not?—It is less than in the Clyde; but there you are not required to pay any dock-dues.

5137. Mr. *Hankey.*] What is done for the benefit of the shipping in return for these charges which are paid?—There is the keeping of the river clear from shoals and banks, and the whole arrangements in connexion with the harbour; such as buoys and moorings of every description, and keeping the river, generally, clear for the navigation. I think that is the only return we get, as owners of large ships, because, of course, when we come up, we are only too glad to get into dock; we would not lie in the river at any price.

5138. If any part of the expense connected with the blasting were charged, as it is, to the shipping generally, would you think that fair?—No, I do not think it would be fair.

5139. You think that the ballasting ought to be paid for by those who require it?—Just so; I think it would be very unjust for a ship not requiring ballast at all to pay for ballast which others required.

5140. I mean of any part of the expense of providing ballast were now paid out of the general charges in the way of port-charges on shipping, do you think that would be an unfair thing?—Decidedly; I think it would be a misappropriation of the funds.

5141. If ballast could be got in a cheaper way, do you think that the Government is bound to free the trade from any shackle whatever which imposes the necessity for a heavier duty?—Yes, I think so.

5142. If by any existing monopoly the ships requiring ballast in the Thames pay a higher charge than that which could be provided for, do you think that would be unjust?—Decidedly so.

5143. What is the nature of the charge on shipping coming up the Mersey?—It is what they call the harbour charge there; it is exactly the same as it is in London, in and out, 1½ *d.* per ton; here we pay three farthings in and three farthings out; that is identically the same, except that here, when we go away in ballast, we do not pay the three farthings outwards. The dock-dues in Liverpool are higher than they are here, because here we pay private companies, there it is represented by one entire corporation; I think the rates at Liverpool are now eighteenpence.

5144. *Chairman.*] I believe a member of your firm, a Mr. Rankin, is a member of a Mersey Board?—Yes.

5145. Mr. *Ewart.*] There is no beneficial interests, I believe, in the trust at Liverpool?—No.

5146. The dues levied are merely for the purpose of paying the interest of the bonded debt, are they not?—Quite so.

5147. I believe the Liverpool Docks are built entirely out of borrowed money?—Yes.

5148. Therefore, any surplus, after paying all charges, goes to the general fund for carrying on the works?—Quite so; but I think it will be a long time before they have much surplus.

5149. *Chairman.*] The Thames, as compared with the other rivers we have been speaking of, is a good deal encumbered with small craft, is it not?—Much more so than any other river.

5150. There are a greater number of lighters and barges, are there not?—Yes.

5151. In the Mersey there are no such craft at all?—No; there is too much tide, it would not be navigable for them.

5152. Does this traffic of small craft require very careful management?—Very much so.

5153. It has been suggested that it would be an advantage to the clearance of the waterway of the Thames if these lighters were generally towed by steam-tugs: what do you say as to that?—No doubt it would prevent the crowding in the tideway.

5154. That would prevent the lighters lying athwart the stream, as they do occasionally now, would it not?—Yes, it would.

5155. I suppose that is very objectionable?—It is, for the general navigation. I believe that the lighters are obliged to lay across the stream to increase their speed; if they were put end on they would go very slow; and if the wind was contrary and the tide strong, they could hardly make any progress at all, I understand.

5156. You think that plan would be attended with considerable advantage to the general navigation of the river; would it not also tend, in your opinion, to prevent those accidents which constantly arise from the barges lying across the stream?—No doubt it would; it would keep the navigation very much clearer than it is at present.

5157. Have you any observations of your own you wish to offer to the Committee that may further

further their enquiry?—I do not think that I have anything particular; I came here more particularly at the request of the shipowners' association, to speak as to the grievance with respect to ballast; I am not prepared to speak of the Thames Conservancy Board at all, because, as a body, we have very little to complain of as to them, except that we are not represented at the Board.

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5158. You think it would be more satisfactory if you were represented there?—I think it would.

Mr. William Henry Tindall, called in; and Examined.

5159. *Chairman.*] You are, I understand, a shipowner in the port of London?—I am.

5160. Are you chairman of the shipowners' society of London?—I am.

5161. Do you come here to give evidence at the request of the committee of that society?—I do.

5162. So that the evidence which you give here to day, will convey not only your own sentiments, but the general sentiments of the important body in London, over whom you preside?—I believe I may say so.

5163. You are acquainted, I presume, with the Board of Conservancy of the river Thames, in the port of London, with its authority, and its proceedings?—To some extent, as far as comes across my path.

5164. The shipowners are, I believe, the only body who make an annual regular contribution to the Conservancy Fund?—I believe they are; they contribute very nearly half, I think, of the revenue of the Thames Conservancy Board.

5165. Is the present constitution of the Conservancy Board altogether satisfactory to the shipowners of London?—We have no reason to complain of any of the acts of the Thames Conservancy Board; but we think that as the shipowners (or the owners of ships using the port) of London, pay nearly half their revenue, it would be only fair to ask that the shipowners should have some voice in the appointment of the Board.

5166. You think that the principle that is adopted in the institutions of the country generally, that where persons contribute their money to any public object they should have a voice in the application of it?—Yes.

5167. Are you therefore in favour of a representative Board?—Yes; to some extent.

5168. Would you confine the representation to the shipowners, or would you extend it to other parties interested in the river?—There are other parties equally interested no doubt; in 1856, when this Board was about being constituted, there was a letter written by order of the shipowners' society, signed by the secretary of that society, a copy of which I have in my hand, and that proposed, that the Board should consist of the Lord Mayor for the time being, the first Lord of the Admiralty, one of the Commissioners of Woods and Forests, a member of the Marine Department of the Board of Trade, an Elder Brother of the Trinity House, a member of the Local Marine Board, a member of the General Shipowners' Society, a member of the Steam Shipowners' Association, a member to be appointed by the Committee of Lloyd's, two directors of the Dock Companies, to be elected by the several Dock Companies, a member of the Lighterman's Company, a member appointed by the Legal Quay Wharfingers of London, a member appointed by the Owners of registered Sufferance Wharves of London, and a member of the Committee of the Coal Exchange, London; that was the opinion of the shipowners society in 1856, as to the constitution of the Board.

Mr. *W. H. Tindall.*

5169. Mr. *Hankey.*] How many does that make?—Fifteen.

5170. *Chairman.*] Do I understand that some system of that sort would still be satisfactory to the shipowners of London?—Something of that sort would; we do not intend to propose any complete system; our principal object is, that we, or the shipping interest generally, should be in some measure represented in that Board.

5171. There are various jurisdictions on the river Thames; there is the Conservancy Board, the Trinity House, and the Watermen's Company, all of whom exercise some species of authority over the river; is it or not your opinion that the whole of these powers should be intrusted to one body?—I am not prepared to say that any difficulty has arisen in consequence of the collision of these three bodies, but it would seem advisable that the jurisdiction should be vested in one body.

5172. With respect to the important subject of ballastage, would it not be better, in your opinion, that that should be vested in the Conservancy Board, rather than in any other body?—In my opinion it should be thrown open, and not continued a monopoly as it is at present, whatever Board it may be under.

5173. To what part of the world does your ships mostly trade?—To India and Australia, and there are some few in the North American trade.

5174. Have you much occasion for ballast in the Indian or Australian trade?—No, scarcely any.

5175. But you have with regard to the North American trade?—Yes.

5176. Have you any reason to complain of the ballast which is now supplied?—The quality of it is sometimes very inferior, and we have no redress; but that is not a general complaint; it is sometimes the case.

5177. The quality of the ballast is not satisfactory to you, and you find it is not so promptly delivered as you require; do I understand that to be the case?—At certain times of the year.

5178. Do you consider that that arises from any want of arrangement on the part of the authorities who are charged with the duty of ballastage, or that it arises from the circumstances of the river itself?—I should think it must arise from want of foresight on the part of the authorities who have to provide the ballast; if it were in the hands of private contractors, they, knowing at certain times it would be required in much larger quantities, would probably have larger quantities on hand.

5179. Do you think that the price at which the ballast is supplied is a reasonable subject of complaint on the part of the shipowners?—I think it is, to some extent.

5180. Do you think if the ballast were supplied by contractors working under the Conservancy Board, it would probably be supplied at a cheaper rate?—I think it would.

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5181. Do you complain that the ballast is delivered wet?—Very wet, and sometimes very full of mud.

5182. Have you any experience of the ballastage operations in other ports than the port of London?—No, very little.

5183. It was stated by a previous witness that the waterway of the Thames is encumbered a good deal with small craft; do you concur with him in opinion that it would be desirable that that small craft should be towed rather than navigated, as they are at present?—I think it would be very desirable; at certain times of tide the river is very much encumbered by small craft (barges).

5184. That of course blocks up the waterway, and leads to many accidents?—It does.

5185. Do you think that that would be partly obviated by the introduction of steam tugs?—I should think it would.

5186. Do you think that the general arrangements made by the Thames Conservancy Board, for keeping the waterway clear, are judicious and satisfactory?—As far as I can judge of them they are so.

5187. Mr. *Ewart.*] Do you complain, like other shipowners, of the difficulty of getting ballast as fast as you want it?—Yes. I have not the same reason to complain as some have, because I use so little ballast.

5188. Do you think if it was left to the contractors to get the ballast under the supervision of the Conservancy Board you would not only get it cheaper, but always have a plentiful supply?—I think so.

5189. Mr. *Hankey.*] You said you doubted whether the providing of ballast ought to be under any Board, but you think it ought to be left to free trade to get it where they please?—I do.

5190. I presume you would think it necessary to have some sort of control to prevent the dredging-machines being fixed at any place where any man chose to seek for ballast?—Certainly.

5191. And it would be better for the shipping generally, would it not, that there should be some controlling body to arrange in what way the ballast should be got?—Certainly. I did not mean that it should be left in any one's power to put a dredging-machine where he chose.

5192. But there should be no profit beyond that which free action would bring down to its lowest point?—I think we should not pay more for ballast here than in other places.

5193. If ballast is more expensive to purchase in London than it is in other places, would you not necessarily, under any system, have to pay more for it?—Certainly.

5194. I suppose you do not think that ballast ought to be provided at the expense of any other body than those who require it?—Certainly not; it should be provided at our cost, and there should be a reasonable profit thereon, no doubt.

5195. Do you think that the general arrangements of the port of London are such as to secure as advantageous a position for the shipowners as at any other of the great ports of England?—I should think so.

5196. Several years ago I think there was an impression that the charges upon shipping in London were such as were tending to drive away the trade to Liverpool and Glasgow?—That may have been so many years ago.

5197. Have you not heard so in your father's time?—I do not think I have.

5198. That is not your impression at the present moment?—No.

5199. There is nothing in the way of charge in the port of London to make it more advantageous to the shipowners, generally, to select other ports on that account?—No.

5200. Mr. *Locke.*] You stated that if the supply of ballast were left to private individuals, to competition, they would have larger quantities on hand?—Yes.

5201. Where would they keep it?—In their own wharves, or in barges.

5202. If they kept it in barges would it not be a great inconvenience to the river; is it not the present practice to take up the ballast just as it is wanted?—That is the present practice.

5203. If that present practice were deviated from, you say they would keep larger quantities on hand. Will you explain in what way that could be done without inconvenience to the navigation of the river?—I can only imagine that it could be kept in barges, which should be kept out of the fair way of the navigation, or, that it should be kept upon wharves.

5204. I presume you mean by the time the larger quantity was required, they would make provision to meet it?—Yes.

5205. You do not mean that they would keep the ballast all the year round in these barges?—Oh no.

5206. You stated that there was the same facility in the port of London to obtain ballast as there was in other places. There cannot be the same facility as at a seaport, can there, where they have nothing to do but to go to the beach and get it. Is there not greater facility there?—Of course.

5207. There are such places in the United Kingdom, are there not?—Yes.

5208. With regard to the port of London, certain spots are pointed out where ballast may be taken from, and it cannot be taken from any other; is that so?—I believe it is.

5209. The persons who get the ballast are obliged to go to those particular places?—Yes.

5210. And whether it is good, bad, or indifferent, that ballast they must take, and none other?—Yes.

5211. That complaint of the ballast, therefore, may arise because the place pointed out is not exactly the best that might be resorted to if the persons getting the ballast had their free choice?—Yes; and unfortunately the shipowner has to suffer for that; he cannot refuse the ballast that is sent to him by the Trinity House, whereas, if it was sent by a private contractor, the shipowner could refuse it.

5212. But could the private contractors get the ballast from a different place to that which the Trinity House gets it from?—Possibly not.

5213. Then, in point of fact, the quality of the ballast would always be the same?—The contractors might supply ballast that had been drained, and become better by being kept for a while. If it comes direct from the dredging machine to the ship, it is full of water, and, consequently, of bad quality in that respect.

5214. Then it would be better by being kept for some time to drain dry?—Yes, it would.

5215. Then under the present practice, it is taken from the bed of the river, and put at once on board the vessel, is it?—That is very often the practice.

5216. You

5216. You do not see that there is any difficulty then in keeping the ballast in question all ready to put on board vessels; that it would not create any inconvenience?—It could be done to a certain extent, not probably to a very great extent. The time when the great pressure for ballast takes place is when the North American ships arrive in the summer, and have to get away as quickly as possible to make their fall voyage. It is then, perhaps, that the greatest pressure for ballast takes place.

5217. Has it ever been represented to the Trinity House that it would be advantageous to the shipping interest if they were to keep ballast ready in quantities?—I have not heard that it has been.

5218. What has been the nature of the complaints made to the Trinity House?—The complaints we have been able to make have been, that we could not get ballast.

5219. That you could not get it at all?—Yes, we have had to wait days and days for it.

5220. Do you think, with proper foresight on their part, that delay could have been obviated?—I do.

5221. Mr. *Lindsay.*] I understand the substance of your evidence to be, so far as regards the ballast, that the shipowners wish to be allowed to purchase their ballast how and where they please?—Yes.

5222. And as to the quality of the ballast, that is a matter that the shipowner alone has to consider?—Yes.

5223. That if the shipowner is satisfied that the ballast is suitable, nobody else has any right to interfere with it?—As a shipowner, I should say so.

5224. Have you experienced much delay in getting your ballast under the present system?—I have at times, but it is so seldom that I require ballast in my trade, that the inconvenience has not impressed itself very strongly upon my mind.

5225. Can you speak in regard to other shipowners having experienced that inconvenience?—Yes, I know it is a constant source of complaint.

5226. That their ships are detained for want of ballast?—Yes.

5227. More especially towards the fall of the year?—In the summer when ships are about to proceed upon their fall voyage to America.

5228. An honourable Member expressed a doubt in regard to being able to keep a sufficient supply of ballast without throwing obstacles in the way of the free navigation of the river; would there in your opinion be any necessity for keeping a very large quantity of ballast on hand for any length of time?—No, I think not.

5229. In point of fact, do you think that the supply and the demand would regulate the quantity in exactly the same way as it regulates everything else?—Yes.

5230. Supposing the Committee should arrive at the conclusion that it is not advisable to throw open the ballastage and allow any person to supply it, do you think it would be better in the hands of the Trinity House as it now is, or in the hands of the Conservancy Board?—I do not think I am capable of expressing an opinion upon that point.

5231. *Chairman.*] The question as to throwing it open entirely does not arise in your mind?—Some supervision no doubt would be required, but whether the Thames Conservancy Board, or any other Board might be the best supervision, I cannot say.

5232. Mr. *Ewart.*] Under the present system are you obliged to take ballast, however bad it may be?—Yes.

5233. If it was thrown open to private competition under the proper supervision of the Thames Conservancy Board, you would then have the power of rejecting the ballast if you did not like it?—Exactly.

5234. Mr. Alderman *Salomons.*] Why is any supervision at all required with regard to taking in ballast?—With regard to supervision, I meant this, that some authority must point out where the dredging machines must dredge for ballast.

5235. If the trade were perfectly open, I suppose those who have ship yards, docks, or other places would have a supply of ballast always ready?—No, I think it would be a separate trade altogether; I think that those who have docks or yards would not enter into the ballast trade.

5236. They would not turn the ballast out of a ship that was going into the dock, and then put it back again, I suppose?—No, they would not have space to do it, in all probability. There is a regulation now that prevents us from putting ballast from one ship into another. If a person could take it out of one ship and put it into another, without paying any dues to any one, it would probably be worth a person's while to land ballast to some extent.

5237. Mr. *Ewart.*] Then if it was thrown open to private competition, you would be able to sell your ballast, if you had any to sell, upon arrival, to the contractors, instead of adopting the present system, which you feel is rather a grievance to the trade?—Exactly. We have to pay for getting rid of the ballast now, as well as for getting it.

5238. *Chairman.*] Have you any suggestions to offer to the Committee, representing as you do so important a body as the Society of Shipowners of London?—I do not remember that I have anything else to offer.

Mr. Edward Perronet Sells, called in; and Examined.

5239. *Chairman.*] You are, I understand, a coal merchant?—Yes.

5240. Carrying on business upon rather a large scale?—Yes.

5241. You are also a member of an important body in London, called the Coal Association, I think?—Yes; the Coal Merchants' Society of London.

5242. And you appear here as the representative of that body?—Yes.

5243. Are you acquainted with the constitution and operations of the Thames Conservancy Board?—Yes; generally.

5244. Does the constitution of that Board give entire satisfaction to the coal trade?—No; not at all.

5245. What is it they object to in the composition of that body?—They think, that in order that a body of that kind should work well, there ought to be upon the Board, parties who could

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give any information that might be required, as to the requirements of the different interests affected by the Board.

5246. They think that the members of that Board ought to be well acquainted with the requirements of the river?—Exactly so.

5247. Are they of opinion that the members of the present Board are not sufficiently qualified in that respect?—Yes, they are certainly; and they are of opinion also that it does not necessarily follow, from the constitution of the Board, as laid down in the Act of Parliament, that any one of the members need necessarily know anything at all about the requirements.

5248. That, although from circumstances the gentlemen constituting the Board at present may be well informed on this subject, there is no adequate security that they shall always be so?—Just so.

5249. Should you say that the present Board enjoys the confidence of the public, who are interested in the prosperity of the river?—So far as I have heard any opinion expressed I should say certainly not.

5250. Do the Conservancy Board seem to be of opinion that the Act of Parliament under which they have exercised their authority is insufficient for the satisfactory performance of their duties?—We judge so from their having, each Session, I think, since their appointment, tried to get Acts passed to give them increased powers, and we have necessarily been obliged to look at their proceedings. We think that they are anxious to have powers which no body, constituted in the way in which they are, ought, in our opinion, to possess.

5251. I understand from you that it is the opinion of the coal trade that it is undesirable to give increased powers to a body constituted as the present Board of Conservancy is?—Certainly.

5252. Why is the coal trade unwilling to give increased powers to the Conservancy Board?—We think that the Board ought to have within itself the elements of knowledge as to the requirements of any particular class of traffic that is carried on upon the river, or the work generally which would devolve upon them in keeping the river in good order; and that to accomplish that, it would be necessary there should be parties upon the Board connected with those particular requirements, and if the Board was constituted in that way we should not at all object to their having any powers they could require for the proper conduct of the business, but otherwise, we think it would be injudicious to give them increased powers.

5253. You would not object to give any powers which might be necessary for the proper management of the river, if you were satisfied with the constitution of the body?—Certainly not.

5254. Do you object to the present constitution of the Conservancy Board because it is not directly responsible to any one, because it is irresponsible, in fact?—I do not know exactly to whom it could be responsible.

5255. Are they responsible at present?—I do not know that they are; I do not know that there is anybody who could call them to account; there is no appeal from their decisions, I think.

5256. What constitution of a Conservancy Board is the coal trade desirous to see substituted?—We are desirous of seeing a constitution something like this: that all bodies that can in any way be affected by the operations of the Board should be represented; when I say represented, I do not mean necessarily by election, although I think that would be desirable where the body has any organisation; for instance, we should suggest that the Corporation of London ought to be represented; that the Trinity House should be represented; that the Admiralty and the Board of Trade should be represented; that the different sections of the river over which the authority of the Board is exercised, should be represented in something like this way; for instance, that the county of Essex should be represented, the county of Kent should be represented, and that Middlesex and Surrey should be represented by two each; and these representatives should be taken from different sections of the river, so that there would be some knowledge on the Board of the requirements of these different sections. Then, I think, owners of waterside property should be represented; I think that the coal trade, which is a trade of very considerable importance indeed upon the river, and which is very much interested in the good conduct of the navigation, should be represented; the Companies of Watermen and Lightermen should be represented; the sufferance wharves should be represented; the steamship companies should be represented; the Corn Exchange should be represented; the river steamboat companies should be represented; the dock companies, shipowners, and Lloyd's, I think, should be represented. The idea that we have taken up was one which, I have heard, has been before expressed to the Committee, that it should be a body, not less than 30 in number; and I have here the number of representatives which, I think, might be fairly apportioned to each; the greater number of these bodies I should put down for about two, some for one, and the City for four.

5257. Mr. *Lindsay.*] Will you state those that you would put down for one?—The Trinity House, the Admiralty, the Board of Trade; because I consider the only purpose for which they should be represented should be just to keep a general watch over the proceedings, and to see that nothing injuriously affects the Boards which they might be considered to represent, and to look after their particular interests.

5258. All the rest for two?—I have got the river steamboat companies for one, and Lloyd's for one; all the others for two.

5259. *Chairman.*] Do you think that a Board, either nominated or elected, would give more satisfaction to the coal trade than the present Board?—Yes, certainly.

5260. Has the coal trade any cause of complaint against the present Board?—The principal fear that we have is with regard to the future, because they seem anxious to obtain increased powers; and we think they are desirous that a larger income should be raised than they have now, which we think would resolve itself into a general taxation, which we say would not be necessary.

5261. Then your objection arises rather from apprehension of what may be done than from any dissatisfaction?—Members of our trade have occasionally had difficulties with them. I believe an application was made to them by an important member of our trade, who was examined here at the last meeting; it was not attended to, and he was about to bring a Bill into Parliament, and then, I believe, his request was attended to.

5262. Have you found any difficulty of access in your transactions?—Exactly; we had an interview

view with them during the early part of this year, with reference to the Bill that was before the House, and we pointed out two or three things to them that we could not, as a body, consent to, and which we thought were unnecessary. It was admitted that one of the points we came upon was not intended to mean what was expressed, but was intended to be a special, whereas it was expressed as a general matter, which would certainly have given the Board the power to tax. We were specially informed that no further proceedings should be taken until we were communicated with, but they would meet our views, if possible. We waited patiently, and we heard nothing from them until we saw that the Bill was put down for the second reading. We certainly thought that was not proper treatment, and that it did not show a disposition to treat bodies who were affected by their proceedings in a fair manner.

5263. You think that arose from a vice in the constitution of the body?—I think so. I think if the body had been constituted with representatives from particular bodies, that would not have occurred; I think there would have been a general disposition to do anything that was consistent to meet the requirements or the particular circumstances of the trade generally.

5264. I understand that the coal trade have a very decided opinion upon this point?—They have a very decided opinion upon it.

5265. Sir *John Hanmer.*] That is as to the principle of representation?—I should not care about the principle of popular election, if that is what you mean by representation. The parties should be appointed from those different classes, that is all I should care about.

5266. Mr. *Locke.*] Appointed by whom?—I think it would be important that as those parties should consist of persons in whom, from their position, the different classes might be supposed to place confidence, even for the well working of the Commission, it would be right that they should be appointed by those bodies who possess an organization that could appoint them. I think that under those circumstances, perhaps, better persons would be selected than under other circumstances, but I should not object if the appointment was with the Board of Trade in the first instance, only binding them down to select persons from these different classes in their proper proportions.

5267. How would you select anybody from the County of Surrey, for instance?—I think the magistrates might appoint, or the Board of Trade might select somebody in the different localities. I do not think there would be any difficulty in carrying it out; it seems to us as a trade that the more comprehensive the body is the better it would work, and the better the duty would be performed; the only object we have in view is to have the duties properly performed.

5268. Mr. *Lindsay.*] Do you see a practical difficulty in the way of popular election?—Probably there would be a difficulty in some instances.

5269. If I understand you rightly, what you wish to convey to the Committee is this, that, for instance, the two representatives from the Dock Companies would be elected by those companies?—Yes; that, I think, would be the better plan, but if there is a difficulty as to any particular body, then the appointment might be made in another way.

5270. And the same with regard to the steam owners, they might agree among themselves who should represent them?—Yes.

5271. And the same with the corporation?—Yes.

5272. And the same with the three counties?—Yes.

5273. Mr. *Locke.*] Would you have the shareholders of the Dock Companies to elect, or would you leave it with the Directors?—I think it should be left with the governing body of the Dock Company to meet and send the parties, but I am not particular as to that; I said that the principle of representation was the right one, but I should as well be satisfied with an appointment from those different parties by the Board of Trade; because I think the Board of Trade would appoint such parties as would be generally satisfactory; in fact, I should imagine they would consult the bodies.

5274. Mr. *Ewart.*] For how many years do you think the members should serve?—I think, perhaps, when a person was elected, he should remain upon the Commission until his position was changed; for instance, if he was sent by one of the Dock Companies, and if his connexion with that Dock Company should cease, he should no longer be a member of the Commission.

5275. Then, you would not have a certain number go out every year?—No; I should not suggest that.

5276. Would you have the whole body elect their chairman?—Yes, I think that would be a very good plan.

5277. I do not quite understand how you would propose to elect for the counties bordering on the river; do you mean that the magistrates should choose those representatives?—I think the magistrates would be the only body who could do so, unless it was done by appointment by the Board of Trade; my only object in putting those particular members is this, that it would seem desirable that there should be somebody on the Board who should have a knowledge of every part of the river. If the members were all taken from the port of London they would not be personally acquainted with the requirements of the river in the upper navigation.

5278. How far up the river would you go?—I assume that the limits of the Board would exist just as far as the present Conservancy limits.

5279. *Chairman.*] Within the flow of the tide?—It goes rather beyond the flow of the tide; it goes to Staines; the flow of the tide is to Teddington.

5280. Mr. *Hankey.*] Would you have the Board a paid Board?—I would not have them paid so as to make what might be considered a berth or anything of that sort; I think there might be an attendance fee merely sufficient to pay the members' expenses, probably half-a-guinea or something of that kind.

5281. But some kind of payment you think ought to be made?—I do not know, I have not considered that at all.

5282. Do you think it is reasonable to expect that gentlemen would give their time and attendance upon a Board of this nature, without some remuneration?—I cannot say that I am sure about that; I should adopt what was the usual rule with bodies of the same kind; I am not aware whether they are generally paid or not; I assume if parties give their attendance on other Boards of the same kind they would in this.

5283. Do you think that, as a general rule, an unpaid Board does its work as well as a paid Board?

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Board?—I think the Board probably would work better if there was an attendance fee.

5284. You have a large coal trade, I think?—Yes.

5285. Do you use steam tugs?—We do not use them personally, but they are used in the trade extensively; for instance, a great quantity of coal at the present time is unloaded out of screw steamers in the Victoria Dock, and the greater part of those coals are towed up the river by steamers.

5286. Do you have your own lighters?—We have.

5287. Do not you think it would be an advantageous thing for the shipping generally, on the Thames, that the coal barges should be towed by steam?—I think, at the present time, they are pretty well towed by steam, where steam is applicable; there are circumstances where it would not be applicable; for instance, in starting a single barge to go to a certain place, steam would not be applicable; it would be taking up the room of the river with a tug and a barge instead of a barge only, and besides that, it would be a good deal too costly.

5288. But with certain limitations as to the distance which lighters were going, do not you think that all lighters might be advantageously compelled to use steam?—No, I do not think they could.

5289. Do you not think it could be done as cheaply if it was the general custom and there was a sufficient demand for steam-tugs?—I think that wherever there would be a sufficient demand, and the trade could be done economically in that way, it would be done without any compulsory powers. I think whenever it is practicable and desirable to use steam power, steam power will be used for its own merit's sake.

5290. I understand your objection is not to the working of the conservancy, but merely to the theoretical constitution?—It is to the theoretical constitution undoubtedly, and the want of confidence; we have not confidence in the stability of the body in carrying out any regulations which may exist at any particular time.

5291. I think the body that you contemplate would be about 30 in number?—About 30; not less.

5292. Do you not think that a body consisting of about eight or ten, with a fair and reasonable payment for the services they render, might be selected from these different bodies whom you have named, and that it would perform the work better than so large a committee as 30?—I will explain how I should suggest that 30 should work, and that will answer the question. The 30 should be divided, perhaps, into three rotas of 10 each; each should attend a month, and perform the general duties under the bye-laws that might be determined upon; that every quarter the whole body should be summoned to meet for the purpose of hearing appeals that might be made against the conduct of the rotas, and taking other general business that the rotas might wish to submit to the whole body; by that means, I think, there would be a guarantee that if a person thought himself unfairly treated, he could come before the full body and submit his case to them; it would be a kind of court of appeal.

5293. Do you not think that a body of eight or ten, who were paid, say 100 *l.* or 150 *l.* a year, and give their not undivided, but their constant attendance to all the duties that were required, would perform those duties more efficiently than a larger body subdivided, and only taking that duty there occasionally?—No, I do not think it would. I do not think they would possess the confidence of the parties for whom they might be said to act.

5294. But that body of 10 might equally be selected from the different interests which you have named; for instance, the dock companies might send one member, the wharfingers might send one member, the Admiralty, and so on; that would fully give that confidence to the different interests concerned, might it not?—No; I think it would be far more satisfactory to have a large Board. I think it would possess greater confidence, and I think after all, the real working part would be conducted by the harbour-masters and the officers of the Board, as they are at the present time; and I think the idea of the larger Board and the larger surface of representation would give greater confidence.

5295. Then you think the large body, sitting more in the light of a Court of Appeal, would be better than a smaller body, though selected from the same interests, who give more of their direct time and attention to it?—The whole body would be the Court of Appeal; then there would be the smaller body sitting constantly to have constant supervision.

5296. But in whichever way appointed, you think they ought to have a moderate remuneration?—Yes; I think there should be an attendance fee, but not to amount to any positive remuneration, to make it worth anybody's while to seek the office for the sake of the pay.

5297. What interest has the county of Kent in sending representatives to such a body as this?—There are parts of the county of Kent abutting on the river Thames, and places on the Thames with which traffic is connected, and I think it would be desirable that some persons from that particular locality should be upon the Board, knowing the state of the river, and the requirements of that locality.

5298. That would apply equally to Essex, would it not?—Yes; I have said that Essex should have a representative.

5299. And Middlesex?—Yes.

5300. And Buckinghamshire?—No; I think Staines, on the Middlesex side, is the limit.

5301. And Surrey?—Yes, and Surrey.

5302. And, in fact, through whatever county the river flows, you think there ought to be some representative from those counties?—Yes.

5303. *Chairman.*] That is within the jurisdiction prescribed by Parliament for the Thames Conservancy?—Yes.

5304. Mr. *Ewart.*] Then you think that the honour of being upon this Board, without payment, would not be sufficient?—I do not put it in the light of payment.

5305. Well, without remuneration of some sort?—I do not know that it would be.

5306. Are you aware how it is with the Conservancy Board of Liverpool?—No, I am not.

5307. They do not get any pay at all?—It is not an important element, I think. I should not even have alluded to it, if I had not been asked the question. I think it would be found that proper persons could be selected to serve upon the Board; in fact, their own interests would be more effectual than any pay.

5308. Mr. *Locke.*] You think then that the persons who would be upon this Board, according to the system that you have sketched out, would be persons directly interested in the well working

working of the Board?—Certainly, directly interested in the well working of the Board, and the proper carrying out of their duties, most decidedly so.

5309. Your proposition is that the Board should consist of not less than 30 members?—Yes.

5310. And out of those 30, committees should be formed, or as you call it, a rota?—Yes.

5311. There might be committees for particular purposes?—Exactly so, that is a mere matter of detail.

5312. And then in the course of business, as it is in all other bodies, where there is a large number, they would report to the full body?—Precisely so.

5313. And that full body would either adopt the report of the committee, or reject it?—Precisely so.

5314. You think there would be an advantage in the report of the committee on any particular matter of business, having the consideration of the whole Board, with a full discussion?—Decidedly.

5315. Have you found that plan work well in other bodies?—I have.

5316. It is the usual English system, is it not, throughout all bodies?—Yes.

5317. You think it should not be left to eight gentlemen receiving 150 *l.* a year a-piece, to make that their first consideration, and not the interests of the body to which they happen to belong?—Exactly.

5318. Do not you think that if there were eight gentlemen with 150 *l.* a year a-piece, they would be about the worst constituted body that could possibly be conceived?—I quite agree with you; I think it would be about the worst constituted body. I could not conceive anything much worse. In fact, if you had eight persons, I should think it would be very little use to have eight persons, to whom you could not give 1,000 *l.* a year each, if you wanted the work well done.

5319. You think a man does not always work the better for the pay he receives, unless he has a constituency or something behind him to keep him straight?—No.

5320. You think therefore that those gentlemen coming from the county of Kent, for instance, would be looked after by those who sent them, that is, the persons in the county who have an interest in the river?—Yes.

5321. Do you think if they appointed a person to go to the Board, they would send the best man that they could get?—Undoubtedly.

5322. And that man would be responsible to those who sent him; he would have to give an account of his stewardship, or they would not send him again, if he did not do his duty?—I should say that having been once appointed, he should remain there as long as he was eligible.

5323. But what do you mean by eligible?—As long as he maintained the same position as he did when he was first sent there.

5324. What do you mean by the same position; suppose when he got there they found that he knew nothing at all about it, or that he did not attend to his business?—I should assume they would ascertain that he would attend to the business before they sent him.

5325. But supposing they did not find out till afterwards that he did not know how to attend to it, do not you think that there should be some mode of appointing some one else in his place?—There might be; for instance, a person not attending a certain number of times, might be struck off the Board, because it is desirable that they should be an attentive and working Board, undoubtedly.

5326. Do you think it is a good system to appoint a man for life to a Board of this kind?—I should assume, of course, that a man placed in that position, if he did not fulfil the duties of it, would resign.

5327. But do you always find that to be the case; do not you sometimes find that a man who performs his duties extremely ill, fancies he performs them better than anybody else?—That is so, certainly.

5328. You cannot always leave it to the man himself to judge of his own qualifications, can you?—No, certainly not.

5329. Then would it not be better that those who elect him should have the opportunity of doing so?—That would, of course, be upon the principle of election, assuming that you adopt the principle of election throughout.

5330. That is the point to which I wanted to call your attention; whether you do not think that very great inconvenience might arise by not adopting the system of election, except you elect them for life?—I do not, personally, think very much of it.

5331. You think that the person would be well known in the county who was best qualified to take his seat at that Board, and that the great bulk of the persons who had the selection would naturally look to him?—Yes, certainly; but I said, in the first instance, that I was not particularly wedded to that mode of election. I would as soon they were appointed, in the first instance, by a body like the Board of Trade, taken from these classes.

5332. What do you think the Board of Trade would know of any of those particulars applicable to any particular county, save the county of Essex. How would the Board of Trade be able to select from Essex a proper person to serve upon the Board?—I think they could easily make inquiry.

5333. Then it would depend very much upon whom they inquired of; the person who gave his advice might have a particular friend, and he might give his advice to the Board of Trade, and say, "That is the man, appoint him;" do not you think that the Board of Trade, like any other Board, might be misled?—I think that wherever there is an organized body such as the magistrates of the county, or these trade societies, it would be better that the party should be sent by them.

5334. Then after all you think that popular election is the best thing?—Yes, an election of that kind.

5335. But if you cannot get that, you would turn it over to the Board of Trade and take your chance with them?—Yes.

5336. Mr. *Lindsay.*] If you left the nomination in the hands of the Board of Trade, would not that be practically placing the whole management of the river in the Board of Trade?—I should say that the appointment by the Board of Trade would be merely in the first instance; I merely suggest that in the event of the other mode being considered impracticable, I should prefer the other, of course.

5337. Why should not those bodies to whom you allude, appoint or elect in the first instance, as well as in the second?—I should prefer their electing in the first instance, undoubtedly; I merely

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merely put the other in the event of its being impracticable to carry that plan out.

5338. You do not make it a point that they should be elected for life?—Not at all.

5339. Do you think it desirable that they should be elected for one, two, or three years; and then that they should be again elected, or re-elected, as the case might be?—I have not gone particularly into that matter; neither should I care very much about it, one way or the other.

5340. I understand you to say, that you appear here as the representative of the coal trade?—Yes.

5341. Do I understand by that that the coal trade have met, and considered this question?—There is a society to which nearly every coal merchant belongs; I believe I may say the whole of them belong to it; and they have a committee before whom the matter was brought: they wished somebody to appear here, and appointed me to come.

5342. Consequently you have been expressing the views of that committee?—Of course they are my own views; but I have said what I believe would meet with the concurrence of that committee.

5343. *Chairman.*] The business of a coal merchant in the Port of London must necessarily bring him a good deal under the authority of the Waterman's Company, must it not?—Yes.

5344. Is the power exercised by the Watermen's Company a matter which is viewed by the coal merchants with perfect satisfaction?—I do not know that I can say with perfect satisfaction. I think it is necessary that there should be a supervision by them, or some other body; and I should wish to say upon that point, that provided the two things, the Watermen's Company and the Conservancy Board, are kept distinct, as they are now, the powers of the Conservators should be well laid down, so that they may not trench upon what are the powers of the Watermen's Company. I think there has been some little conflict up to the present time; the Conservators think they have power to regulate the labour in craft, to a certain extent, and the Watermen's Company certainly have that power.

5345. Then all you recommend is that the powers of the two bodies should be distinctly laid down, so that they should never be brought into collision?—Yes, if it is thought desirable that they should remain distinct; there may be a question upon that point.

5346. You are not prepared to recommend any alteration in the powers which are now vested in the Watermen's Company?—I had not intended to suggest anything, providing the powers of the Conservators did not trench upon those of the Watermen's Company, so that there should not be two bodies doing the same thing. It is a matter of very little difference to us which body should regulate that particular branch; but probably, if there was a body constituted as I suggest, that would have the confidence of all parties; it might be well to amalgamate the two, and make one body responsible for the whole.

5347. The monopoly which is now vested in the Watermen's Company, then, is not a matter which you propose to alter?—We should prefer its being altered; we tried all we could, some two or three years ago, in Parliament to get it altered, but we were unsuccessful.

5348. When you say we, do you mean the trade?—Yes.

5349. Was the coal trade then favourable to that Bill which was introduced two or three years ago?—Yes, we took a very active part in it.

5350. That Bill went to the extent of abolishing the jurisdiction of the Watermen's Company on the Thames, did it not?—Originally our intention was not to abolish it altogether, but certainly to remove some of the restrictions under which we laboured.

5351. I understood from you that that Bill, as it was originally introduced, had the entire concurrence of the coal trade of London?—Yes.

5352. Mr. Alderman *Salomons.*] What alteration do you require in the Watermen's Company?—I stated that we did not intend to suggest any alteration, but we thought that the labour should be made more a matter of choice than it is now; at present we are bound to employ freemen of the Watermen's Company, we should certainly rather that we were allowed to employ who we liked.

5353. That the trade were thrown open entirely?—We should certainly prefer that.

5354. With regard to the present Conservancy, do you not think that the composition of the present Board would be very much improved if it was an open court; that you would be much more satisfied with the present Board, if it was an open court?—If the public were admitted, do you mean?

5355. Yes?—No, I do not think it would have made very much difference.

5356. Do you remember the old Navigation Committee?—Yes.

5357. Was the trade satisfied with that Committee?—No.

5358. That was a large Committee?—I do not know the number of that Committee at all.

5359. I can tell you it was a large Committee. Do you not think if we enlarged the present Board, by adding to it other members, that then it would be satisfactory to the trade?—It would resolve itself into much the same thing as we suggest.

5360. I ask you whether, if the present Board were continued, being enlarged by members from special trades on the river, it would be satisfactory?—Yes; I do not see but what that would be perfectly satisfactory.

5361. I think you stated that the present Board does not enjoy the confidence of the trades on the river?—No, it does not.

5362. Then, I presume the present inquiry by this Committee is a popular act?—I do not know.

5363. What, not the inquiry here?—I suppose the inquiry was brought here in consequence of the opposition that was made to the Bill of the Conservancy; I do not know.

5364. Then I ask you whether the inquiry we are now making into the conduct of the Conservancy Board is not a popular act?—It is an act in which the parties concerned take interest, undoubtedly.

5365. Then we are not losing our time, but are rendering satisfaction to the trades who are not satisfied now?—We are not satisfied now, certainly; we are glad that the inquiry is taking place.

5366. Under whatever circumstances, or whatever may be the composition of the Board, do you not think it is essentially desirable that their proceedings should be known to the trade by persons being

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being able to go in and hear the discussions?—As far as my own personal opinion goes, I do not think that Boards where the public are admitted to the discussions work well at all. This would be a Board simply for the conduct of business, and it is absolutely necessary that it should be conducted properly and well. I fancy generally, but it is merely a matter of opinion, of course, that Boards to which the public are admitted do not work well.

5367. Then what do you say to all the parish vestries?—I should say just the same there. I think they would work much better if the general public were not admitted.

5368. What do you say as to Boards of Guardians. You are aware that they undertake great labour?—Yes.

5369. Are they paid?—No, I believe not.

5370. They have an interest in keeping down the rates, I suppose?—Yes.

5371. If a Board was composed as you suggest, all the members of it having an interest in the river, would they not have an interest in looking after it, and therefore need not be paid for so doing?—Yes, I think they would have a great interest in looking after it.

5372. If the river were well organised by a good Board having the confidence of the persons trading upon it, would the attendance at the Board be necessarily very long or laborious?—No; I do not think it need be so, if the body was well organised.

5373. I suppose the Board would have to be regulated by the reports of their officers, the Harbour Masters?—Yes, a great deal.

5374. Therefore, it does not necessarily follow that the duties of the Conservancy Board should be very laborious?—No, I do not think they would be at all laborious.

5375. Are you aware of the composition of the Conservancy Board at Liverpool?—Not at all; I have seen the particulars of the Boards at the Tyne the Wear and the Tees; those are the only ones that I have had any information upon.

5376. Are they not all open Boards?—Do you mean open to the public.

5377. Yes?—I do not know at all; I have merely looked at the constitution of the Boards and they seemed to me to be very comprehensive.

Mr. JOHN BECKWITH TOWSE called in; and Examined.

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5378. *Chairman.*] YOU are, I believe, a solicitor?—I am.

5379. Were you the legal adviser of one of the parties who was plaintiff in the action against the Thames Conservancy Board?—I represented two.

5380. Which two?—The Fishmongers' Company and Richard Thornton.

5381. Will you briefly explain the object of the suit?—You will see by reference to the map that the Fishmongers' Company and Mr. Thornton have premises bounded by the Thames; the Fishmongers' Company commences close upon London Bridge Stairs, and proceeding along nearly to Old Swan, being intersected by the premises marked white belonging to other parties. Mr. Thornton's is represented by a No. 9, and extends right in front up to the Old Swan Stairs From time immemorial the Fishmongers' Company and the parties representing the wharf frontage between the Old Swan and Old London Bridge had the right of mooring their craft. The Fishmongers' Company received rental for craft lying in a line with the stairs at Old Swan, which stairs, I believe, the Committee saw the other day. If you were to draw a line from these stairs from the causeway right down to London Bridge, the craft always laid in a line with that, just within. I can speak of nearly 50 years of my own knowledge of that fact; for nearly 20 years the steamboats have been running up and down the river, from which period the Fishmongers granted leave and license to their tenants, Messrs. Jones, Brothers, to carry on the business of landing passengers from steamboats. Mr. Thornton has done the same, and, ultimately, they enlarged their frontage, as you see represented by the three small dummies representing, I believe, very nearly an extent of 300 feet, or between 250 and 300, by which means the passengers were landed to and from, and embarked from the steamboats running up and down. The Fishmongers received, I believe, a certain amount of rental from Messrs. Jones, for that particular privilege, and Mr. Thornton received, together with his partners, I believe, a net sum of upwards of 1,200 *l.* a year; that is, 300 *l.* a year each; that was the state of the case when information was obtained that the Conservators of the Thames proposed to make use of the free public stairs at Old Swan and Allhallow's-lane, and to place before those respective stairs the floating pontoons or bridges, which you now see, in consequence of their driving the piles at Allhallow's Peir, proceedings were taken in the Court of Chancery to endeavour to obtain an injunction to restrain them from so doing.

5382. What was the result of that proceeding in the Court of Chancery?—The result was, judgment by the Vice Chancellor Wood. The case was tried before him, and he said he was afraid that the Act of Parliament gave the Conservators full power over all private rights. His attention was drawn particularly to the clause of the Act of Parliament which reserved the rights not merely of various parties, such as the Admiralty and the Crown, and all those bodies, but to the general saving clause at the end, which stated: "None of the powers by this Act conferred, or anything in this Act contained, shall extend to take away, alter, or abridge any right, claim, privilege, franchise, exemption, or immunity, to which any owner or occupier of any lands, tenements, or hereditaments on the banks of the river, including the banks thereof, or of any cuts or islands in the river, are now by law entitled, nor to take away or abridge any legal right of ferry, but the same shall remain and continue in full force, as if this Act had never been made."

5383. Notwithstanding that saving clause, the Vice Chancellor decided against your client?—The Vice Chancellor said that if he was to give effect to that clause at all, it would in effect be repealing the different enactments of the Act.

5384. Then your complaint is not against the Board of Conservancy, but against the provisions of the Act of Parliament?—Exactly so, but in this particular transaction I should mention there was to be an appeal from the Vice Chancellor to the Lord Chancellor; but the opportunity of so doing

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was lost by one day. The Conservators had full notice that it was the intention of the parties to appeal to the Lord Chancellor; but they took those measures, or rather their solicitors did, which prevented that appeal being progressed with, and knowing that proceedings were being taken in the House, and that this Committee was about to sit, it was considered advisable not to proceed further in the matter, especially as the expense of prosecuting those measures before the Vice Chancellor had been very great.

5385. From whatever cause you were unable to prosecute your intention of appeal, all the information that we have of the legal bearings of the case is found in the judgment of the Vice Chancellor who decided against your clients, is it not so?—What the Vice Chancellor says is this: "It appears to me, therefore, upon these grounds that I am not able to sustain the information or either of the Bills which have been filed: as regards the question of costs, I do not think it is a case for giving any costs, either upon the information or the Bills, for two reasons; first, that the question of thus reserving the rights was a question of a certain degree of nicety, and might reasonably be brought before the consideration of the Court as against a public body exercising the rights which they are now claiming to exercise; and still more do I feel it when the rights claimed are so exercised, as in argument the rights have been claimed upon the present occasion, because, undoubtedly, if these gentlemen were under any misapprehension that they might have their wharves entirely closed and shut up, it was high time that they should have some sort of means of raising the question on that part of the case, and in some way having it determined.

5386. Sir *John Hanmer.*] They suffered private injury and got no redress?—No redress whatever; the Act contains no Compensation Clause. All Railway Acts, as the Committee are aware, contain Compensation Clauses, but here, if the ruling of the Vice Chancellor be correct, the Conservators, as constituted under this Act, have power to go before the premises of any individual proprietor on either side of the banks of the Thames and take away his foreshore without paying him a single farthing for the damage which they might thereby inflict.

5387. *Chairman.*] But however inapplicable the Vice Chancellor may consider the provisions in the Act of Parliament, his judgment conveys no impeachment whatever of the conduct of the Conservators?—In all that proceeding there was no question about the impeachment of the Conservators, it was merely a question of the powers they possessed under a certain Act of Parliament.

5388. The Conservators acted under the provisions of an Act of Parliament which they were bound to carry into effect?—Which they alleged they were bound to carry into effect.

5389. Do you and those you represent approve of the present constitution of the Conservancy Board?—I am instructed by the parties I am connected with, the Association of Wharfingers, to say that they do not; they are very much dissatisfied with all their proceedings. I am also authorised to say that they are afraid, and there is that fear on both sides of the Thames as to the power of the Conservators, that the individual wharfingers are afraid to be seen in this matter or to say anything lest they should be interfered with in their proceedings; there is a universal feeling of that kind all throughout the River.

5390. Mr. *Lindsay.*] Can you state to the Committee what reason they have for being in such fear of the Conservators?—Their proceedings are exceedingly arbitrary.

5391. But how could the Conservators injure them?—For instance, there has been a prevailing opinion, in fact, it has been stated by persons connected with the Conservancy, with regard to the clearance of the River Thames, that wharfingers should be restricted to having two vessels at their wharves at the same time; now any gentleman connected with the port of London, and knowing the operations of the commerce of the Thames, will know that that is practically impossible at times. I believe when the Committee went down the river the other day, it happened to be very slack; it was low-water, and there was very little doing; but there are times and periods of the year when it is very different, when large fleets of ships are coming up. I have myself seen no less than 30 vessels off one wharf. If the commerce of the Thames is to be interfered with by arbitrary rules and regulations, the trade, in my humble opinion, will be driven from the port of London; the trade requires not to be interfered with, but to be perfectly free.

5392. *Chairman.*] Do you think that the present Conservancy Board acts in an unaccommodating and arbitrary spirit?—I am sorry to say that is the prevailing opinion of most of those who are interested in the Thames.

5393. Does that arise from the constitution of the Board?—In my opinion, and in the opinion of those connected with me, it does.

5394. What alterations are you prepared to suggest in the constitution of the Board?—I have given some consideration to the matter. I should certainly make the Board a representative Board. I think that the number which has been stated would be about the proper number; I do not limit myself to one or two, but about 30 would be the proper number of representatives upon the Board. With the exception of the Corporation of London, I should not interfere with the public bodies; I am a citizen and have very great respect for the City and City men, and so long as the Corporation of London had the control of the Thames, and were Conservators of the Thames, I think it was quite right and proper that they should remain as they were, but inasmuch as the Act of Parliament has taken away from them the power and control of the river, and placed it in a new body, there is no use, in my humble opinion, for the Corporation to be at all connected with it, and for this reason, the members of the Corporation are elected from the wards. In former days those wards used to be inhabited by first-class men, residing in them; such has been the alteration of circumstances, that that class of individuals merely resort to the City to transact their respective businesses during the daytime, and having done that, they leave at night; consequently, the constituency is thrown upon a class of persons who are resident there in the night time, and they are, comparatively speaking, I do not say it offensively or invidiously, inferior in class to those who represent the great commerce of the City of London; the consequence is, that there are very few that are qualified to stand as representatives of the different wards of the City; very few of them are connected with the great

great commerce of the City, they are generally speaking shopkeepers or something of that description. The Lord Mayor and the members now elected under the Act, are nominated by the Court of Common Council; there is no interest in the public over them, nor any control. In making these observations, I do not wish to cast any slur upon individuals; they are no doubt all honourable men, and as far as they go, very well-informed men, but they are not practically acquainted with the Port of London.

5395. You have evidently given the subject a good deal of consideration; will you state to the Committee what system of representation you are prepared to recommend?—Except the Corporation, to which I have referred, I should give the Board of Trade a representative for the purpose of taking care of the interests of the trade generally. The Admiralty should have one representative, merely to look after the rights of the Admiralty, so far as the Government is concerned. I think that the dock companies on the north side of the river should be represented by one member. I think that the dock companies on the south side of the river should be represented by one member. The lightermen, I think, should be represented by two, because their interest is very important. I must say that I have heard a good deal of evidence given before this Committee, which I was surprised to hear. I have been connected with the River Thames, I may say, ever since my birth. I have been a great rower on the Thames; I have also been a ship-owner, and greatly interested in the port of London; therefore, I am not speaking at random, or upon a subject upon which I am not well versed. I have heard gentlemen state to the Committee that it would be possible to bring lighters up by steam in the way in which they have represented. I must be allowed to express my surprise at this; I have been in the Pool over and over again with steamers when it was perfectly impossible to bring lighters in that kind of way, as the Committee will see at once when I call their attention to it. You find that the Pool is very narrow; only fancy a steam-tug coming up with four or six barges in tow, two abreast, with such rough weather as we have been having lately, with the wind in the south-west, when the Pool is always in commotion; they would be obliged to stop short, and they would not be under sufficient control; they would be thrown right across the river, and the injury and damage done would be something very serious. You have also heard it stated, which is perfectly true, that lighters are continually moving from one portion of the river to another; all through the Pool it is impossible that those could be assisted by steamboats; to say nothing of the expense, it would be otherwise utterly impossible.

5396. You think it would not attain the object for which it was recommended, that it would not clear the water-way?—It may be all very well, as Mr. Cory has stated, to bring lighters in that kind of way from a distance below Gravesend, or places in that neighbourhood, up to Vauxhall or Battersea; that might be a great saving of time and expense for long distances; but for short distances from the lower or upper Pool to places above bridge, it would be very injudicious, in my opinion, from the knowledge I possess, to bring vessels by steam in that kind of way, to say nothing at all of the extra expense.

5397. I suppose you are aware that lighters are now towed by steam-tugs?—I am.

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5398. Did you ever hear of any of those evils occurring which you apprehend?—I have seen one or two things of the kind occur, what is called being "put by," because where they come into narrow channels and meet with obstructions, the steamer, to save herself, must cast off the barges, and leave them to take care of themselves. If the channel is kept perfectly free, you would not have that occur, but that is a mistaken notion altogether. One witness, I think a shipowner from the north, stated that the barges by being athwart the tide gained more tide-way or more power than they did by being head-on; I only draw the attention of the Committee to the fact that it cannot be so, because when the wind is blowing strong from the south-west she would be naturally held back by the wind, her broadside being entirely exposed to it; whereas if she were head-on, she would pass upwards without being impeded by the wind. I was going on to say that the sufferance wharfingers on the north side of the river ought to be represented at the Board as a district by themselves; I also think that the wharfingers on the south side should be represented as a district by themselves; then I should suggest that the banks of the River Thames should be rated on both sides, and put into districts; that is carrying out to a certain extent what has been mentioned as to the counties of Essex, Kent, and Surrey. I would do that, because I think it is necessary to maintain the banks to keep the river in its proper bounds. The owners of the property derive advantages from their property being bounded by the Thames; and I do not think any wharfinger or occupier would object to paying a rate; and then, if they paid a rate, the ratepayers would be the electors in the different districts. I do not think there would be any difficulty in working out that system. I should give those proprietors two, Middlesex two, Essex one, Kent two, Surrey two.

5399. Mr. *Locke.*] And Southwark?—I think Southwark should have one.

5400. Mr. *Lindsay.*] How many would you have altogether?—About 30.

5401. Mr. *Locke.*] Is there not a larger trade in Southwark than there is in London proper?—I doubt that; if you take the wharves all the way down from the Tower of London and the legal quays up to London Bridge all through the Borough, it would not equal that.

5402. But the Borough goes from above London Bridge all the way to Deptford, does it not?—Yes; but I look upon that as part of the county of Surrey.

5403. Then London, upon that principle, is a part of the county of Middlesex?—In that way it is so; looking at Southwark in that point of view, it might be worthy of two representatives.

5404. Sir *John Hanmer.*] You were the solicitor to the plaintiffs or relators, in the suit to which you have referred?—I was the solicitor.

5405. The Vice Chancellor, as far as I understand from the papers that you have delivered in, recognised that there were substantial interests which had been vested in the plaintiffs, whom you represented, who had received damage and injury from the operations of the Conservators, although those operations were for the public benefit?—Decidedly.

5406. Have you any suggestion to make as to the mode in which persons having such interests

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might be compensated?—Certainly; I should suggest that the same mode should be pursued as is laid down in railway and other Acts.

5407. What is that?—Compensation.

5408. Where is that compensation to come from?—By the present Act you cannot obtain it.

5409. Would you kindly tell me what mode you would propose, that a person having a substantial interest, who has received substantial injury, which I understand the Vice Chancellor distinctly recognised, should receive compensation; at present he can get no compensation at all, which seems to me to be a gross injustice; how would you propose to remedy that?—If Vice Chancellor Wood's judgment be a correct judgment, and one which would be supported by the House of Lords, I should then submit to the Imperial Legislature, that an Act should be passed, giving the same powers of compensation as are included in railway Acts.

5410. What powers are they?—There is a regular system laid down, where a railway or other company similarly circumstanced is desirous of possessing property belonging to private individuals. First, a power is given to treat; if the parties can agree, well and good; if not, then reference is made to what is called the Lands Clauses Consolidation Act.

5411. But a railway company is a trading company, having a capital to carry on a business, but the Conservators are public officers; therefore the cases are not parallel, are they?—The Conservators are certainly servants of the public, but if it is necessary to take private property in any kind of way, that private property should certainly be recompensed for, and the money for that purpose should, perhaps, come out of the Consolidated Fund, the public money.

5412. At the present moment there may be, and there has been, in fact, substantial injury done to parties who have not received for that substantial injury the smallest redress?—Yes, it is very serious injury indeed. Some of the property will not now let because there are serious substantial injuries and obstructions to the free navigation of the Thames thereto. The Conservators are merely trustees for the public; they say that they represent the Crown, but the Crown is merely a trustee for the public; the Conservators have no right whatever to make any pecuniary value of the bed of the Thames. The Thames is a flowing water, free to every one of Her Majesty's subjects, and these pontoons interfere materially with that freedom.

5413. I do not want to go into that; I want to assume that all the acts of the Conservators have been right, well judged, and for the benefit of the public; still I find, notwithstanding that, let the acts be ever so beneficial and good, somebody has received substantial damage by the doing of those acts, and has got no redress whatever. I want to know whether you have any suggestion to make as to the proper mode of remedying that, because there ought to be a remedy somehow?—I can only repeat what I have said before, that unless relief is given by the House of Lords on appeal, there can be no other relief than by coming before the Legislature, and ask for powers to remedy that evil.

5414. But you cannot come before the Legislature in every case; there ought to be some organised mode of remedy provided, ought there not?—I believe I may say, that when the Conservancy Act of 1857 was brought into the House, it was not generally known that such a Bill was pending before the House. If it had been known to the different interests on the Thames, it would have been so opposed that all necessary clauses protecting the rights of the different parties would most likely have been introduced; but if you look at the Act of Parliament as it now stands, it is merely an agreement between the Corporation of London and the Crown to settle a lawsuit; and no one contemplated, that is, none of the outside public contemplated, that it was to be an Act containing the important and arbitrary enactments which it does contain. For my own part, I was not aware that there was such a Bill before the House, and a great number of the wharfingers were very much surprised at such a Bill passing; it was looked upon more as a Bill te arrange the lawsuit which had been pending for so many years between the Crown and the Corporation.

5415. Sir *John Hamner.*] In this case the fact is, is it not, that judicial notice has been taken that a substantial injury has been done, and judicial notice has been taken that there is no remedy for it under the present state of things?—Yes.

5416. Mr. Alderman *Salomons.*] You complain that your property has been greatly injured?—Decidedly so.

5417. And I suppose you say besides, that the Act contains powers which were never contemplated to be used as they have been used against you?—Certainly.

5418. It was assumed that these piers that have been made would be a great public improvement?—It was assumed so by some parties.

5419. I suppose there is no doubt that they are improvements?—So far as the mere landing of steamboat passengers, it may be so; but it is no improvement to the public generally, and the mode adopted, compelling the public to land at Allhallows, instead of Old Shades, is much complained of.

5420. Do not you think that the public generally land at these piers, more conveniently and comfortably than they did before, and that to that extent it is an improvement?—There can be no doubt about it, except as just stated.

5421. I suppose you would say that if proper offers had been made to you, you would have made those improvements yourselves and thereby preserved your property?—I believe the Fishmonger's Company and Mr. Thornton, whom I represented in this transaction would, if they could have been assured that as soon as they had made the piers they would have been permitted to remain, they would have gone to the expense; but these piers, I believe, cost about 5,000*l.*, and my clients were not inclined to go to that expense, without being satisfied that they would have a holding upon them, because they might have gone to the expense to-day, and orders might have come down to-morrow morning for them to be removed.

5422. Do you mean to say that your property will not let as it did before;—Certainly not; it is much damaged, the property I represent, from 1,500 *l.* to 2,000 *l.* a year.

5423. Have you not better access to your wharf than you had before?—Decidedly not. quite the reverse.

5424. It has been stated here that there being a water-way between the land and the moveable dummy outside, at which persons land, that is an improvement

improvement over what you formerly had?—Speaking as a man having great experience, particularly with this portion of the river, I must say that the evidence which has been given before this Committee on that point is erroneous. It is impossible to bring craft into these wharves with a strong flowing tide; the time of tide at which craft comes in generally about half-tide. Supposing the tide is running very hard indeed, in order to do it you would have to bring a craft through the second arch, in the space between the pier and the dolphin of the landing place, marked C., which is only 90 feet. It is perfectly impossible to bring in craft through that space with a rising tide; she would, as the watermen say, be athwart the dolphin, to say nothing at all of the steamers which may be plying there. I have seen two or three steamers there, and when they are there they block up or present a barrier to the entire waterway or navigation of the second arch, and render it very dangerous for any craft to come through there, upon what they call a hot flood tide. Many of these barges sometimes contain valuable property, 50,000 *l.* or 60,000 *l.* in value, and if they were to touch a steamer it would either be destruction to the steamer with the persons on board, or the barge would sink herself, with all that valuable property. There is one thing which shows the arbitrariness to which I allude, and that is that in the Act of Parliament of 1857 there is a clause that any person doing any damage to any of the Conservancy piers shall pay all the damage done, no matter whether it is by stress of weather or by an inevitable accident. The whole of the expense, and all the consequences, are visited upon the owners of the craft doing that damage. That is a principle which is quite against the common law principle of this country, and it is really against the custom of the River Thames, which is, that where damage is done by stress of weather, each party must bear and pay his own damage.

5425. Then, in fact, the Conservators are protected by Act of Parliament against accident?—Against accidents in every kind of way.

5426. Can you tell the Committee what number of passengers have landed at your pier, the Old Swan Pier, and the other, in any one year?—I am afraid I cannot do that off-hand, but there are millions.

5427. Who created that trade there?—The trade, first of all, was all below bridge when old London Bridge was in existence. There were 27 arches to that bridge. When that was removed, then the steamers came through bridge, because there was more work done than Fresh Wharf could take in for the accommodation of themselves. I believe they landed their up passengers at the lower piers, and took their down passengers from the upper piers.

5428. Was it not you and your tenants that created that trade?—Decidedly: the tenants of the Fishmongers' Company and Mr. Thornton.

5429. You say that the Conservators have come in and damaged your property, and taken your trade away also?—Yes.

5430. And given you no compensation?—None whatever; and they have not only done that, but they have raised a material barrier to their working at the entrance to the wharf as they were wont to do; what they say is this, that there is no reason why large steamers should not be brought above London Bridge, from the improvements that have been made with iron masts which are made to let down; there is nothing at all to prevent large steamers of 250 feet in length coming through bridge, and being discharged at the wharves above bridge; but it is impossible to bring any such craft as that into the wharves here, because of these landing piers.

5431. I do not want to go into details, but you say that besides permanently injuring your property, they have taken away trade that you have created, and given you nothing for it?—They have,

5432. Now, as to the composition of the Board; why do you object to the present composition, as regards the Corporation members?—I object because, with very few exceptions, most of the gentlemen composing the Corporation of London are merely tradesmen, and not either shipowners or persons connected with the Thames; they are perfectly ignorant of the requirements of the River Thames.

5433. You stated in the course of your evidence that some of the great merchants had left the City; what have the great merchants to do with the river?—I look upon such a person as Mr. Henderson of the firm of J. & R. Henderson, of Mincing-lane, as a merchant, and he is not only a great merchant, but a great shipowner; he does not reside in the City, nor has he, I believe any interest in electing any person in the City. I take him as a specimen of the class to which I refer.

5434. Are the wharfingers the great merchants?—The wharfingers are a different class altogether; but the wharfingers are on the river side, and they require certain arrangements made for the well-conducting of their business.

5435. Are they not more proper persons to be upon a Conservancy Board, than the great merchants that you speak of?—I say that the sufferance wharfingers on the north and south sides should be represented.

5436. Take Mr. Turnley, for example; is he not a very fit man to be upon the Conservancy Board?—It so happens that Mr. Turnley is a wharfinger, but if you look through the members composing the Court of Common Council in the present day, I do not suppose you will find another gentleman like Mr. Turner, except Alderman Humphery.

5437. But Mr. Alderman Humphery and Mr. Turnley both being on that Board, do not you think that it entered into the contemplation of the Common Council that they were persons essentially fit for that duty?—Yes, but there are such changes going forward in the constitution of the City, that in the course of a few years you will not have such men in the Corporation.

5438. Why not; does not the Common Council represent all the wards?—For the reason I have stated, that the electors of the wards are becoming narrowed every day.

5439. Is there not another member upon the Board who lives at the water-side, Mr. Rathbone, of Trig Wharf?—I do not think that gentleman knows the head of a ship from the stern.

5440. But he is a wharfinger, is he not?—He calls himself a wharfinger, but if you ask me my opinion, I think he knows nothing at all about it.

5441. But has he not a wharf at the river-side, and does he not carry on there a very large corn trade?—He certainly has a wharf; I know him very well.

5442. What security would you have in the composition of any Board if men like that do not, as you say, know the stem of the ship from the stern?—I think he has only been a wharfinger for the last few years; when I first knew him I do not think he was.

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5443. Without making the revolution you speak of as to a new Board, could not we enlarge the present Board in a way to be satisfactory to the trade generally?—My opinion is, that the Board of Conservancy should be an elective Board, and that their general court should be an open court, with access for the public.

5444. Do not you think, if the present Board had been an open court, the public at large would have been more satisfied with their proceedings?—No, I do not; I think that the constitution of the present Board is radically wrong, for several reasons: first, as to the secretary; and in what I am about to say, I do not mean to cast the slightest slur upon the gentleman who now holds that important post; but I do object, as do also many along the Thames, that gentlemen connected either with the Royal Navy or the Army should hold this important post; their mode of proceeding is so very different from that of civilians, they cannot fill such a post in the way they ought, neither have they the practical knowledge to enable them to carry out the duties.

5445. Mr. *Blackburn.*] I think you say that you consider compensation should have been given to your clients, as in railway cases?—I think that would be a fair way where the parties cannot agree; that is the way in which the value of the property should be ascertained.

5446. But do railway companies give compensation unless they take property?—They sometimes do, I believe, where injury has been inflicted; but here the Conservators have taken property.

5447. Then you do not make any claim for the loss of the passenger traffic?—I make a claim on behalf of the parties I represent both for the property taken and the loss sustained.

5448. That goes beyond the Railway Acts; they do not make compensation for trade interfered with, do they?—Yes, they do; I think they have been called upon to make compensation for injuries sustained, although they have not taken property.

5449. Do you think that the hotel-keepers of Hounslow, and that neighbourhood, got compensation, although the railway took their trade off the road?—No, that is a very different thing altogether.

5450. Is it not nearly the same in principle?—I think it is very different indeed.

5451. Mr. *Ewart.*] Have railway companies to pay canal companies for injuring their traffic?—That is a different case again.

5452. As I understand your complaint, it is that these piers are taking away the traffic from Mr. Thornton's pier, which he formerly had, and you ground your right of compensation upon that?—In the remarks which I made, I did not mean merely to confine myself to Mr. Thornton or the Fishmongers' Company; I meant those remarks to be applicable to every wharf on both sides of the River Thames; and I say, as to the way in which the Conservators have used their piers, it may, in my opinion, be a question whether they had a right to obstruct the Queen's highway, as they have done at Old Swan; they have brought an obstruction to private property right before the wharves. It is just the same as if, in St. Paul's Churchyard, the Corporation were to build up a wall in front of Messrs. Cook's large premises. I put it in this way: I am one of the public; as one of the public I have the right of the Queen's highway, and as one of the public I am damaged and prevented from the proper use of it; I have, therefore, a right to compensation.

5453. It is the obstruction which they have given to your traffic upon which you ground your complaint?—It is.

5454. Mr. *Locke.*] Is it impossible for vessels to come through the second arch of London Bridge, on the north side, without running a great risk of going into the pier placed by the Conservators?—I say it is.

5455. Therefore damage would be done, either to the pier or to the vessels alongside of it?—Decidedly.

5456. Is it possible to bring steamboats alongside your wharf?—Certainly not in the usual way of traffic.

5457. You cannot bring them there?—Certainly not, not now, except at stack water.

5458. Before this pier was placed there, which arch of the bridge could you come through in bringing a vessel alongside your wharf?—The second arch was mostly the arch which was used for that purpose, because the lightermen were not merely coming to Fishmongers' Hall Wharf, but to all the other wharves westward, even as far as Southwark-bridge; some lighters come away from different parts of the river at an earlier state of the tide, and when they do so, they drop from one vessel to another, and so on from wharf to wharf; and in that kind of way, when the first arch was clear, they would come through there at the top of the tide, but at half-flood, and a strong tide, they would endeavour to go through the second arch.

5459. What are they now obliged to do?—They are obliged to go through the third arch occasionally; if they attempt to go through the second arch, they are put off by the steamers, and they cannot fetch in again; since the conservancy piers have been placed up, the barges frequently fetch up as far as Blackfriars instead of fetching the wharves between London and Southwark bridges.

5460. If they have to go up to Blackfriars they necessarily have to wait for the tide to bring them back again?—They lose the tide.

5461. Then it has had this effect, that instead of barges being able to come through the bridge, and bring up at the point they were going to, that is, your wharf or any other wharf thereabout, the pier intercepts their doing so, and they are taken up beyond the pier, and cannot get back again till the change of tide?—Quite so.

5462. Does that cause a very great delay?—It does in many cases.

5463. And consequently a great expense to the owners of the barge?—That is so, and annoyance to the merchant, because the goods are not landed, and also inconveniences the wharfingers, from the same cause.

5464. You have been asked with respect to the clauses in this Bill not giving any compensation, and reference has been made to railways; if a railway were brought so close to the front of a man's house that he could not have proper access to it, is that, in your opinion, a subject for compensation?—It is, decidedly.

5465. Is not the principle precisely the same, taking the house in the one case, and the wharf in the other, that you would apply to the Thames Conservancy?—It is.

5466. And you consider that, in consequence of their placing the piers in that way, they have, in point of fact, to a great extent, destroyed the access to the wharves?—To a most serious extent.

5467. In

5467. In the case of railways, do you consider, if a similar thing was done, compensation could be obtained under the Lands Clauses Consolidation Act?—I do.

5468. But in consequence of the particular clauses that had been introduced into the Bill, no compensation whatever can be obtained?—No.

5469. Several questions have been asked you with respect to this Act of Parliament of 1857; when it was before the House, did the mercantile community feel satisfied with the Act when it passed, because it contained the general saving clauses?—Everyone whom I should represent as the public considered the saving clause would save all their rights as they existed before the passing of that Act.

5470. But in consequence of the decision of Vice-Chancellor Wood, they have been disappointed?—They have most seriously.

5471. And they have found that that saving clause, so far from being a saving clause, saves them nothing at all?—Nothing at all.

5472. Therefore they complain that in point of fact, not being able to bring the saving clause into action, there are these despotic powers placed in the Thames Conservancy, which do not exist with regard to any other body?—Quite so.

5473. Are you aware whether the opponents of the original Bill of 1857 were satisfied at the time with the constitution of the Board?—I was not before the Committee then.

5474. Therefore you are not aware whether the Parliamentary report of that Committee will establish that fact or not?—I am not.

5475. With regard to the constitution of the Board, you object entirely to the Corporation of London having any representative upon it whatever?—I do, for the reasons I have already stated.

5476. Have the number of electors in the different wards increased or diminished?—Diminished.

5477. Are you aware of the number of electors which exist in any or some of the wards of the City of London?—I will take Bridge Ward, which I am somewhat acquainted with; and, referring back to former times, I find that the number of inhabitants of Bridge Ward proper was about 30,000.

5478. At that time the electors were more in number than they are now, I believe?—They were.

5479. They were then the inhabitant householders, were they not?—Yes.

5480. And only the inhabitant householders could vote who were freemen?—Quite so; they must pay their scot, bear their lot, and be freemen.

5481. And also inhabitant householders?—Yes.

5482. About how many electors are there?—That I cannot exactly say; the present number is about 180.

5483. The electors at the present time are the occupiers of houses of 10 *l.* a year who are freemen?—Of premises representing that value; it may be an office.

5484. A house, shop, or warehouse?—Yes.

5485. Mr. *Hankey.*] Must they necessarily be freemen?—They must, and they must be on the Parliamentary List.

5486. Mr. *Locke.*] Then, in addition to other qualifications, he must be a freeman?—He must, and he must be upon the registration of voters for Members of Parliament.

5487. Are you aware whether or not there is any very great anxiety on the part of persons who occupy premises, and who are upon the Parliamentary list to become freemen?—Certainly not, quite the reverse.

5488. Therefore the fact of its being necessary that they should be freemen, very considerably restricts the number of electors?—What restricts it most is a clause which a certain nobleman in the Upper House got inserted into what I call the City Election Act, compelling the voters to be upon the registration for Members of Parliament; the effect of that has been to operate as a disqualification, for there are many persons who are free, but who, not residing within seven statute miles of Guildhall, cannot be placed on the election list.

5489. Mr. Alderman *Salomons.*] Is not a shilling the price of freedom?—Yes.

5490. Mr. *Locke.*] I believe the City have even paid the shilling for the man, have they not?—Yes.

5491. And still the man will not be free?—He will not be free.

5492. Every inducement has been held out to enfranchise persons; but they will not be enfranchised at any price whatever?—That is about correct.

5493. One of the reasons is, that, being a freeman of the City makes him liable to perform certain duties from which non-freemen are exempt; is that so?—I think a great alteration has taken place in men's minds in this respect, from their living more out of the City, they come into the City from their different abodes in the country, Brighton, or elsewhere, to transact their business, and return home again as soon as possible.

5494. Is not the very last thing that enters into their minds the having anything to do whatever with City offices?—I am speaking of first-class merchants, and persons of that description; they are anxious not to be drawn even into a jury, but to be perfectly free.

5495. And to be free he must not be a freeman; is that their view of the case?—It is.

5496. You have mentioned Bridge Ward, which is rather a large one, is it not?—It is a small ward, comparatively speaking.

5497. But thickly populated?—No; the improvement at London-bridge, with the approaches thereto, destroyed about one-half of it.

5498. Do you know any wards containing a smaller number of electors than Bridge Ward?—I have not made myself acquainted with them; I believe there are smaller wards.

5499. What would be the number voting at an election in the ward?—There was an election not long since when Mr. Capper, who has given evidence here, stood for alderman, and I think the number voting on both sides was not more than 250.

5500. What ward was that?—The ward of Langbourne.

5501. However, you say you have not made yourself acquainted with the number of electors in the several wards?—I have not.

5502. I believe there is a return which will give that?—I believe there is.

5503. Do you reject altogether the corporation element?—I do not see the utility of continuing it now when they have lost the control of the Thames. I think it ought to be an entirely popularly elected body.

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5504. At present they are elected by the Common Council?—They are nominated by the Common Council, and the gentlemen who happen to be the seniors in that court would be the parties nominated by the court, without any reference to their capabilities for the Conservancy Board.

5505. In fact, I believe the committees in the Court of Common Council are appointed annually?—They are.

5506. And the members go off by rotation?—They do.

5507. They come upon the committee for four years, if they are so long members of the court?—Yes.

5508. And when they go off one committee they go on to another?—They do; they are called ward committees; one gentleman from each ward is put upon each committee.

5509. I suppose there is a good deal of arrangement between the different members as to which committee they would like to be on?—Quite so.

5510. One is shifted off one committee and put on to another?—Quite so.

5511. In your opinion, are the persons who are placed upon the Thames Conservancy by the Corporation placed there on account of their fitness?—I do not know how they made the selection at the time the Act passed; no doubt Mr. Turnley, being a wharfinger and a member of the Navigation Committee, and being rather high in the Corporation councils, I suppose they put him on on that account.

5512. Do you consider him a good member?—I think him a very good one, but I do not think you are likely to have another Mr. Turnley; you had there Mr. Alderman Dakin, a gentleman, and a well-educated man, but unacquainted with the Thames and its requirements.

5513. Therefore, you think that the constitution of the elective body is radically wrong as applied to the Thames Conservancy?—Yes.

5514. You think that the electors ought to be persons who are interested in the business of the Thames Conservancy Board, and who are capable of getting at the qualifications of a candidate?—Quite so.

5515. I presume you would have the members of the dock companies elected by the directors?—By the directors.

5516. But there are several docks on the north and likewise on the south side?—There are; that is the reason why I class them north and south.

5517. Would you leave it to the directors of the docks on the north side to arrange between themselves?—To elect one.

5518. And likewise one for the south side?—Yes.

5519. With regard to the lightermen, is there any list of the lightermen?—I believe there is a register kept by the company.

5520. Then, again, there would be no difficulty in ascertaining the precise body who should have the election of the members?—None whatever.

5521. And you would give them two members, you say?—I would.

5522. With regard to the sufferance wharfs, again, there would be no difficulty, because they are registered?—None whatever.

5523. *Chairman.*] Do you include in sufferance wharfs the legal quays?—I do.

5524. There is a distinction I believe?—There is a distinction; the gentlemen representing the legal quays may say that they ought to be represented *per se.*

5525. Mr. *Locke.*] A sufferance wharf may belong to several persons, may it not?—It may.

5526. Are they all registered?—They are.

5527. *Chairman.*] At the Custom House, I believe?—Yes.

5528. Mr. *Locke.*] All of them?—I believe all of them.

5529. Then there would be no difficulty in ascertaining in that case who the electors should be?—I believe none.

5530. You say you would give two to London?—Yes; looking at the great interests which are comprised in the City, the whole trade, the shipowners and Lloyds'.

5531. How would you define the electors there?—I should take the wharfingers on the banks of the Thames, from the Tower of London all the way up to the extent of the City of London on the north side, and I should rate all the property. I do not think any one would object to that, because the wharf property is valuable, and no doubt will increase where it has free access.

5532. Then by London, you do not mean the whole of the City, but merely that portion of it on the banks of the river?—Yes.

5533. Then, in point of fact, to describe it accurately, it would be the wharfingers of London?—It would; the wharfingers or occupiers on the banks of the river, within the City of London.

5534. You would give nothing to Westminster; perhaps you think that after the Thames embankment is completed, Westminster will have no wharf property?—I think not; I believe that will entirely destroy it.

5535. Then the wharf property of the City of London will commence just below the Temple Gardens?—Yes; if the embankment be not taken further eastward.

5536. You know that it is to be an open quay?—Yes.

5537. How far does the wharfage of the City of London reach?—From the Tower of London to the Temple.

5538. Do you propose to give them two representatives?—I do.

5539. With regard to Southwark, are you aware exactly where that begins?—No, I am not.

5540. Are you aware that it is considerably above Blackfriars Bridge; do you know Mr. Lee's premises, some little way up?—I think that would be near Mr. Cory's coal wharf.

5541. Southwark reaches, does it not, very nearly up to Waterloo Bridge?—Yes, I believe it does.

5542. From that point do you know how far it extends eastwards?—No, I do not.

5543. The Commercial Docks, I believe, are within the Borough of Southwark?—Yes.

5544. And all Rotherhithe is within the borough of Southwark?—Then I think I should give two to Southwark.

5545. Perhaps you would give three under those circumstances?—No; I think two would be quite sufficient.

5546. The waterside premises in Southwark, I may tell you, are four times as large as those in the City?—But you must consider that I take away five members from the Board who now represent the City.

5547. At

5547. At all events, you think that Southwark should have two?—Yes; I was not aware that Southwark extended so far eastwards.

5548. Then in Southwark they would be elected by those who had property at the waterside?—Yes, rated.

5549. Rated to what?—I propose that there should be a tax payable to the Conservators for that property; I propose no tax whatever upon piles or buoys, save nearly a nominal tax, to show that it is merely permissive, but beyond that I would not tax the trade at all. I should endeavour to raise a revenue from taxation upon wharf property from Yantlet Creek to Staines, on both sides of the river; and I think a revenue might be raised in that way which would relieve the shipping to a great extent.

5550. Now we will come to the counties; do you apply the same rule to them? Do you think that the electors for the county of Kent, for instance, should consist of those who have waterside property?—I do.

5551. Precisely the same as with London and Southwark?—Yes, all the way throughout.

5552. And the same with Surrey?—Yes.

5553. Then by that means, anybody in any way connected with the river, whether by trade upon it, or by property at the side of it, would be represented on the Conservancy Board?—Quite so.

5554. Have you every reason to believe that that body would work well for the benefit of the community?—I have. I would have them elected for three years, and every third year they should be changed; and then it should be still permissive for them to hold office again, if the electors were so willing.

5555. Then you would not have any portion of the Board go out every three years, but the whole Board re-elected every third year?—Yes.

5556. The whole body?—Yes.

5557. As to the working of the Board when it was appointed, would you leave it to their discretion to appoint committees for the discharge of particular duties, and then report to the main body, and their reports be taken into consideration, and approved or not, as it is in other bodies?—I should lay it down that the committee should consist of so many members, that the work of the Conservators should be done by different committees, those committees to sit weekly, or daily if necessary. Then there should be a general council once a month, or once a week, if need so require.

5558. As you might find it necessary for the proper discharge of the business, I suppose?—Yes. I would have a committee to attend to the navigation, another to attend to the finance, and another to something else, but all to be of a certain number in all cases, and to unite in one body every month, or oftener if need require; and that that general meeting should be an open meeting, at which the public might be present.

5559. Of course it would be open, at those general meetings, to any member of the Board to bring forward any proposition he pleased for the regulation of the river, and the benefit of the navigation?—Quite so.

5560. Mr. *Lindsay.*] I understand you to say that, in your opinion, the waterside property which you represent has been seriously injured by the placing of the floating pontoon opposite to it?—Yes.

5561. Cannot steamers come alongside your property now?—Certainly not.

5562. Could they have come alongside before?—As long as there was sufficient water to float them over the Campshed they would.

5563. Do they ever go alongside for any other purpose than for the purpose of landing or embarking passengers?—Referring to the plan which is before the Committee, steamers, from the time the wharf was used as a steam-wharf for landing passengers, have only used the landing-place where the pontoons or dummies of the Fishmongers' Company, or Mr. Thornton's, are placed, which you see are placed on the outside the Campshed. That Campshed would, of course, prevent steamers from going away from or arriving at the wharf, when there was not sufficient water to float over it, without arrangements being made for them to load and discharge by other means thereat and therefrom.

5564. Could not steamers go from between the new floating pontoon and the shore now at high-water?—No.

5565. Is there not sufficient water or sufficient space?—There would not be sufficient space or water.

5566. What I ask is, could not steamers go between the floating pontoon and the shore?—It would depend entirely on the size of the steamer, and the mode in which she was rigged, because if she was a small steam-barge tug, she might be taken in.

5567. I am speaking of the steamers which are enabled to come through the arches of London Bridge?—If you refer to such a class of steamers as the Waterman's steamers, they could not.

5568. *Chairman.*] Are you speaking of high-water or low-water?—When they come to the Campshed, evidence has been given that there is only water enough to float barges drawing three or four feet of water.

5569. Mr. *Lindsay.*] By putting the pontoon where it is, did that in any way alter the depth of the channel?—No; the steamboat was quite a new trade at that wharf on the removal of Old London Bridge; before that there was no steam-work on the up-river or above London Bridge at all, except between Queenhithe and Richmond.

5570. The question is not the depth of water, but the space between the floating pontoon and the shore; what I want to know is this, could the ordinary description of steamers which pass through London Bridge not go between the floating pontoon and the shore?—Do you mean at all times of the tide?

5571. At the same time of the tide that they would have been able to have gone alongside your wharf before any pontoon was moored there?—Certainly not, for this reason, that any steamer, supposing she was coming up with the tide, and supposing that steamers were working at the pontoon marked C, opposite Fishmongers' Hall Wharf (where there would be generally two or three lying, and others coming up) would not be able to come round in the space left between the West Dolphin of C, and the Eastern Dolphin of C 2.

5572. But for the purposes of trade, did steamers ever go alongside your wharf before?—No; it is a new trade, and will increase; there is nothing at all to prevent the steam-work, either by screw or otherwise, being carried on at that wharf.

5573. Consequently, as far as the trade in steamers is concerned, you have not sustained any injury?—Not at present, further than by

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the rental which is received from the steamers which used to ply there being taken away, I say by force, by the requirements of the Conservators.

5574. That is as far as regards the revenue derived from landing passengers?—Yes.

5575. But not goods?—I do not know of any wharf above-bridge where steamers are at work, further than tugs, from the Victoria Docks to the Hanse Town warehouses.

5576. Barges can still go alongside your wharf, as they did before, can they not?—No, decidedly not.

5577. Do you mean that there is not space enough between the pontoon and your wharf?—I mean to say so, from the obstruction of the first arch of London Bridge. When the Committee were down there last Friday, it was low water; if they had been there ween there was a good strong flood-tide, they would have been better able to understand it. This very morning it was nearly high-water when I came up to this Committee, and at that time the first arch was not merely blocked, but the craft were hanging upon each other, coming right through the second arch; consequently, the first arch is of very little use. The embankment has been taken considerably out, into the river there; the river used to run from Old Swan into Fresh Wharf, forming a large bay, at a point then defined by the south wall of St. Magnus Church; there is now a new wharf, called Adelaide Wharf, on that spot; the tide used to set in at that place, as before stated, and it does so now on the ebb, and on the up-tide it sets off from the City shore to the Surrey shore; therefore, it would be quite impossible for any craft to come in there with safety. The first pier of London Bridge is itself an obstruction, because the barges that take Fresh Wharf drop from Fresh Wharf up to Adelaide Wharf, but they do not drop from Adelaide Wharf to the Fishmongers' Wharf, on account of the pier at London Bridge; there is nothing to make fast to there; and if the tide gets hold of them, they are forced up the river.

5578. But, as far as the floating pontoon goes, barges can drop with the flood-tide from Fresh Wharf or from Adelaide Wharf to your wharf, with the same facility that they did before, can they not?—No; the facilities have been interfered with and taken away.

5579. How so?—For this reason: these dummies, which belonged to the wharves, were of very great assistance to lighters coming up the river. There is very little work done down the river; very few goods are brought down from the west: all the work is coming up; all the laden lighters are upward bound. They used to come through the second arch; and as these dummies belong to the proprietors of the wharves, their people always assisted the bargemen; they always threw them a rope, or gave them a turn; and even the steamers, being under the control of the wharfingers, assisted to the utmost of their power in giving the barges a tug in. Those dummies were made use of by all the barges going to the wharves adjoining. Now, it is not so under the Conservancy; they will not allow a barge to make fast; they have notices to that effect on every one of their piers; and it was proved in our case that they had cut ropes and sent the barges adrift

5580. Where do barges coming up the river, bound to your wharf, go through; do they go through the first or the second arch as a rule?—As a rule they go through the second arch, except at still-water, when, supposing they had goods on board, coming from vessels discharging at Botolph Wharf or thereabouts, they would drop through the first arch.

5581. But coming from the London Dock, would they go through the second arch to come to your wharf?—Yes; they would always go through the second arch.

5582. Does this floating pontoon offer any obstruction to their coming alongside your wharf when they pass through the second arch of the bridge?—Decidedly so.

5583. How so; in what way?—Because the barges cannot go in; a barge travels at the rate, on half flood-tide, of about 4 or 4½ miles an hour; the tide setting off there drives her away from the City shore, and the men cannot row in; and if they could row her in, the position would be, that they would just bring a barge athwart the dolphin of the pier, and occasion great damage, if not destruction of life.

5584. But a man going up with a flood-tide would not think of rowing in round to the eastern end of the pontoon; he would come in through the western end, would he not?—He cannot do it.

5585. How so?—Because of the steamers lying off here (*referring to the Plan*), he would be obliged to give them a wide berth; the consequence is (he is out in the centre of the river, and has no place to make fast to), the tide carries him up to Blackfriars sometimes. There have been instances of bargemen losing one, two, or even three tides since the Conservators' pontoons have been erected.

5586. Then he is not able to bring his barges alongside the floating pontoon?—It would be quite impossible.

5587. Why?—On account of the steamers being there, and on account of the strength of the tide.

5588. But the strength of the tide is, of course, the same now as it was before the pontoon was there?—Yes; but the Conservators' pontoons, being much farther advanced into the river than the old ones were, occasion such an obstruction to the general public traffic of the river that no lightermen, careful of the goods entrusted to them, would think of placing their craft in such a position as to come into contact with any steamer lying or arriving at, or departing from, the Conservators' pontoons.

5589. Then, in fact, you think the floating pontoon stands in the way of his bringing his barge in at the flood-tide?—Yes; and not only that, it is an obstruction to the Queen's highway.

5590. And in this water-space between the floating pontoon and the shore, barges can lie in perfect safety, can they not?—No doubt that may be a kind of dock for them when the tide is down, if they can get there.

5591. It forms a sort of dock for the protection of the barges, in fact, does it not?—You may call it by that name, but it is an inconvenience to the wharfingers, and to the public generally.

5592. Looking at the plan that you have given to us, this floating pontoon seems to form an outward boundary, like a dock, does it not?—You may so term it.

5593. Protected as it is, cannot barges discharge alongside your wharf with greater facility than they could before?—There had been no inconvenience or injury to the barges heretofore, but instead

instead of being any facility it is quite the reverse.

5594. On the plan that you have laid before the Committee there is something like a pier, marked A; what does that represent?—I can explain that. The plan lying before the Committee is a plan that was prepared by the Conservators themselves; this is a lithograph taken from their plan. They first proposed to make use of not merely the stairs at Old Swan, but also of the London Bridge stairs and that represents the bridge which they proposed to have made from those stairs; but they found it was so glaring that they dropped it.

5595. Then no such bridge exists?—Not at present.

5596. *Chairman.*] How did it happen that the saving-clauses in the Conservancy Act did not save your rights, upon which you claimed compensation?—With the permission of the Committee, I will refer them to the Vice-Chancellor's judgment, which bears on that point. He says: "Now I come to the question of the Bill, on which there has been an extremely able and ingenious argument on both sides with regard to the exact position of the plaintiffs, in consequence of the saving-clause contained in the 179th section of the Act. Now, the Act contains a number of savings for individuals and for companies: a saving for the Temple, a saving for the dock companies, and other savings of that description; and then it concludes with this general saving, 'None of the powers by this Act conferred, or anything in this Act contained, shall extend to take away, alter, or abridge any right, claim, privilege, franchise, exemption, or immunity to which any owner or occupier of any lands, tenements, or hereditaments on the banks of the river, including the banks thereof, or of any aits or islands in the river, are now by law entitled, nor to take away or abridge any legal right of ferry; but the same shall remain and continue in full force, as if this Act had never been made.' Now the construction of the Act, of course, one must approach with some consideration of its object and purpose. The object of the Act, amongst other distinct and marked objects, which are referred to in the recitals, is to enable the Conservators to erect piers; which would be nuisances, and I will say must be nuisances, unless they were authorised by the Act, as was very properly said by those who argued for the plaintiffs. That being so, all those who live on the banks of the river, and who have occasion more frequently to navigate the river than those who are mere passengers passing up and down, must be to a certain extent injured by the very construction of the Act, which authorises the work to be done. To say that no such obstruction as an individual might complain of as a nuisance, if the Act did not exist, shall be made, would be in effect to say that the Act is to have no effect whatever; because, unquestionably, if this Act had not been passed at all, anybody having a right of navigating the river to his wharf, and finding the access to his wharf on any given day whatever obstructed (I do not say prevented), might bring his action for the purpose of complaining of the particular damage which accrued to him, as one of the public, in respect of this, which would as regards the public be a nuisance. Accordingly, it seems to me quite impossible to carry this Act into effect without somebody or other, wherever the piers may be placed, having a right of action of some kind, if this saving-clause is to go so far, in respect of the particular damage done to him as one of the occupiers particularly injured by the general nuisance, and consequently, that the saving-clause in the Act, so interpreted, would prevent any purpose of the Act being accomplished; that of course cannot be a rational or proper interpretation. But on the other hand, the defendants put the case, as it seems to me, far too high, and in a manner which I do not think necessary for the consideration of their case. The defendants urge their case as high as this; they say that if in the execution of the pier we should so place the pier (which at one time they seemed to be contemplating to a certain extent, when that projecting point of the stairs was intended to be made, supposing there had been another projection of a similar kind), as entirely to block up the passage, so that barges shall never have access to Fishmongers' Wharf, the right of the Fishmongers' Company, who now have a right to use their wharf, and to have a free access from the river to their wharf, would not be a right which could be considered within the provision of the saving of the Act, because that again, they would say, would only be an obstruction and a nuisance, which is part of the general nuisance which is inflicted upon the whole mass of the public; and that being so, they are not in any way protected. I apprehend that right is a different right. The right of access is a simple right; the extent of that right it may be somewhat difficult to define; nevertheless, I do not think it very difficult. It is somewhat difficult precisely to define the extent of the right of access by a landowner on to a public road or to a public path, as contradistinguished from the general right of the public to use that road and to use that path. I say that I think it is not so very difficult to define, because it appears to me that it was clearly defined in the case referred to by Mr. Bovill, in 5th Manning and Grainger, of Rose *v.* Groves; for it does appear to me that the Judges went distinctly on the ground, not that it was a particular damage alleged by one of the public, in respect of a nuisance which he suffered in common with all the public, and was particularly agrieved by it, but that it was a claim of damage in respect of a private right, that right having be en interfered with; and the private right which he alleged was this: I had a right of access to my premises from the water, and the defendants in this case have blocked up all access, and my premises are no longer approachable by the water. It does seem to me to be a kind of absurdity to say that the private right is not infringed when a person having a right of access to a public highway has this additional grievance to what the public in general suffer; in fact, has a grievance from which the public in reality suffer not at all, of having his door nailed up; for instance, if you might say so, the public way being left open to all the rest of the public to pass on, but he having no access through the medium of his door to that highway, which was left unobstructed, but which all the rest of the public are at perfect liberty to use."

5597. Was it quite clear that the Corporation of London, irrespective of that point which was in litigation between the Corporation and the Crown with respect to the foreshore, that the Corporation as Conservators of the river, could not have put up these same piers, which you complain of as infringing your rights?—I should say, certainly so.

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5598. Sir *John Hanmer.*] You would say that they could not?—I should say so, certainly.

5599. Mr. *Locke.*] Was not a case tried, on this very point, between the Corporation and a pier that was put up?—There was.

5600. And the Corporation, I believe, withdrew from the prosecution?—They did.

5601. *Chairman.*] Did not that arise out of circumstances other than the right? There is no doubt that anybody putting a pier into a navigable river, without special statutable powers, is erecting a nuisance, and it is quite clear that this Act of Parliament conferred those powers upon the Conservancy Board; but did not the Corporation claim to have the same statutory power?—I never heard so.

5602. Mr. *Locke.*] The pier that was put up at Fennings' Wharf by the Corporation was indicted, was it not?—It was.

5603. And there was a verdict against the Conservators?—There was.

5604. And in consequence of the Conservancy Act having been passed, another pier was erected; and now there is no right of action, nor is there any right on the part of the public to indict them for it: is not that so?—If the holding of Vice-Chancellor Wood be correct, there is certainly not.

5605. Sir *John Hanmer.*] Am I right in supposing that the Conservators offered to your clients, in the first place, to do the work which they themselves afterwards did?—If Vice-Chancellor Wood's judgment be correct, the Conservators could place piers all the way down the river.

5606. But did the Conservators offer to your clients that they should do the work at their expense, and profit by it, and hold it subject to a lease under them, exactly in the same way as they afterwards did it themselves?—You say subject to a lease?

5607. Well, to hold it under some terms or other?—I am not able to answer that question. I believe there were some negotiations pending between them; and I mentioned before, that the Fishmongers' Company and Mr. Thornton would have put up a pier, if they could have been satisfied that they should have had the enjoyment of that pier.

5608. It seems to me that that is a kind of compensation that could easily be got at. If I have a wharf, and the Conservators wish something to be put in front of it, and offer that I should do it, in the first instance, if I like, then I might be compensated by so doing; and if I did not accept their offer, then my loss would be my own fault, would it not?—But you must understand that there was no assurance whatever given of any holding.

5609. Mr. *Cave.*] You state that the barges which are made fast to the Conservancy piers are cast off?—They are.

5610. Does that apply to barges which make fast to the piers simply for the purpose of pulling themselves round, or only to barges that make fast to the piers as resting-places?—I speak of facts under both states of circumstances.

5611. We were told the other day, that no barges that merely used a pier to come round into the space of water behind the pier were cast off?—I know that was so stated, but I am sorry to say it is not the fact.

5612. Then you dispute that fact?—I do.

5613. Mr. *Locke.*] I was asking you about the pier at London Bridge; that I understand was erected by the Steamboat Company?—Yes.

5614. And they had not the direct sanction of the Conservators; but are you aware whether or not Mr. Cubitt, when he erected his pier at the Isle of Dogs, had the sanction of the Conservators?—I am not; I cannot speak to that fact.

5615. However, it was indicted, and it was held to be a nuisance?—It was.

Lunæ, 15° *die Junii*, 1863.

MEMBERS PRESENT:

Mr. Cave.	Mr. Locke.
Mr. Joseph Ewart.	Mr. Lindsay.
Mr. Hankey.	Mr. Longfield.
Sir John Hanmer.	Mr. Alderman Salomons.
Mr. Hutt.	Mr. Somes.

THE RIGHT HON. WILLIAM HUTT, IN THE CHAIR.

Mr. JOHN BECKWITH TOWSE, called in; and further Examined.

Mr. *J. B. Towse.* 15 June 1863.

5616. *Chairman.*] I UNDERSTAND that you wish to make some addition to the evidence that you gave on Friday last?—I wish to hand in a return, up to the year 1860, showing the millions of persons who have passed over Mr. Thornton's wharf, called the Shades Wharf. Mr. Thornton, in his Bill, stated to the Court that those numbers were 50,000,000 since the opening of his pier in the year 1839.

5617. Whose pier is the Old Shades Pier?—It is in connexion with Mr. Thornton's; there is the Old Swan and the Old Shades.

5618. Then it is the Old Swan Pier, is it?—The Old Swan and the Old Shades are united; there are two entrances.

5619. Will you state what the paper is that you have in your hand, or read it to the Committee?—I hold in my hand a return of passengers landed and embarked on board the penny boats, belonging to the London and Westminster Steamboat Company, at Old Shades Pier, and also a return of previous years. (*See Appendix.*) In 1851, there were 3,568,024; in 1853, 2,865,701; in 1855, 3,536,769; in 1857, 3,835,863; in 1859, 2,617,866; and in 1861, 3,207,558.

5620. When was the Conservancy new pier erected?—This year.

5621. Mr. Alderman *Salomons.*] Was it not at the end of 1862?—This year.

5622. Have you not got a return for 1862 then?—I have not.

5623. *Chairman.*] Have you any reason to believe that the number of passengers has diminished since the erection of the new pier?—There are several causes operating at the present moment there, so that my answer would not be a fair answer or a fair criterion; but I shall have to state to the Committee, that from the year 1839, when Mr. Thornton commenced his operations, up to the time that the Conservators took possession of the frontage, no accident whatever had taken place at Mr. Thornton's pier; the whole of that immense traffic was carried on without one single life being lost. That, unfortunately, has not been the case since the Conservators have opened their pier at Allhallows, because two lives have been lost at that place.

5624. Mr. Alderman *Salomons.*] I suppose you bring the returns forward to show the largeness of the trade?—To show the largeness of the trade, and the loss which Mr. Thornton, as a wharfinger and a freeholder, has sustained by its being taken away from him without any compensation.

5625. Would his profit be in proportion to the number of passengers landed?—His profit, after paying all expenses, was, I believe, about 600*l.* a year. In consequence of having that frontage for the beneficial working of the steamboats, he was obliged to make arrangements with the adjoining wharfingers, Mr. Morris and Mr. Nicholls, and each of those gentlemen had one-fourth, and their fourth was 300*l.* a year each.

5626. Mr. *Longfield.*] Did Mr. Thornton levy a toll upon each passenger?—No.

5627. How did he derive his profit?—He made arrangement with the Steamboat Companies to pay so much per hundred.

5628. Then, instead of the tax being directly on the passengers, it was a charge of so much per hundred made on the Steamboat Companies?—Yes.

5629. By what title did he do that?—As the freeholder, for permission to pass over his free hold.

5630. Do you know that toll is a thing which cannot be granted except by the Crown?—I have yet to learn that a freeholder has not a right to tax any one for permission to pass over his freehold.

5631. Do you know that such a thing is perfectly illegal?—I do not know what the Honourable Member refers to. Mr. Thornton held permission of these piers by license from the Conservators, granted to him from the commencement of 1839, first by the Corporation of London, and then continued to him by the present Conservancy Board, for which he paid a rental.

5632. Mr. Alderman *Salomons.*] Then, he got his first permission from the City?—Yes; he was a tenant of the Navigation Committee of the Corporation of London.

5633. Mr. *Longfield.*] He was a tenant of the City, in fact?—As it respects the floating dummy.

5634. Was he a tenant of the City: will you answer that question?—Yes, as I have stated.

5635. And that tenancy commenced in 1839, did it?—In 1839.

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5636. Your complaint is, that the tenancy of the City was not renewed or continued, although he had a profit out of it: is that so?—My complaint is, that the Conservators have taken possession of the foreshore.

5637. Will you answer me directly: is not your complaint that they did not continue his tenancy, but terminated it?—I do not consider that they have terminated it yet; they have given him no notice; they have taken possession without giving him legal notice.

5638. Was he a tenant from year to year?—Yes; and he has had no notice to determine that tenancy.

5639. He has been evicted; turned out, in effect?—He has, in effect.

5640. And he has been deprived of that which he held at a fixed rent from the Conservators; is that his complaint?—He complains as one of the public having a right of free access to his premises, that that right has been taken away from him.

5641. He complains, in point of fact, that his concerns are not as profitable as they were before, when he held under a permission from the City?—The complaint that he made to the Court of Chancery was for an obstruction to the right of access to his freehold premises, as a citizen and one of the public.

5642. What did the Court of Chancery decide?—The Court of Chancery said that they could only deal with it by Act of Parliament.

5643. Then the Act of Parliament, in truth, thought more of the public than it did of Mr. Thornton?—The Vice-Chancellor's attention was called to this, that the parties before him had, some of them, freehold rights; that others were tenants under lease, occupying those respective shores, and that they had enjoyed those rights (at least the freeholders had, and their predecessors had) from time immemorial, down to the present time. As such, they claimed free access to those premises over the Queen's highway, the River Thames, just in the same way as if they were travelling along Cheapside or Oxford-street, or any other street; they contended that the River Thames was the Queen's highway, and that it ought not to be obstructed by any person or anybody. They called his Honor's attention to the saving-clauses, not merely to the general saving clause which I read to the Committee on Friday last, which says: "None of the powers by this Act conferred, or anything in this Act contained, shall extend to take away, alter, or abridge any right, claim, privilege, franchise, exemption, or immunity to which any owner or occupier of any lands, tenements, or hereditaments, on the banks of the river, including the banks thereof, or of any aits or islands in the river, are now by law entitled, nor to take away or abridge any legal right of ferry; but the same shall remain and continue in full force, as if this Act had never been made." They not only called his attention to that clause, but they also called his attention to the different clauses saving the rights of the Trinity House, protecting the rights of the Commissioners of Sewers, of the Metropolitan Board of Works, of the Dock Companies, of the Port of London, &c. They called his attention to all those; and his Honor said, that if he was to give expression to any one of those saving-clauses, the effect of it would be that he must render the Act inoperative.

5644. In truth, notwithstanding all those things, you were beaten; was not that the fact; you did not succeed with the Vice-Chancellor?—You shall have the very words of his Honor as an answer to your question: "It appears to me, therefore, upon these grounds, that I am not able to sustain the information or either of the bills that have been filed. As regards the question of costs, I do not think it is a case for giving any costs, either upon the information or the bills, for two reasons: first, that the question of thus reserving the rights was a question of a certain degree of nicety, and might reasonably be brought before the consideration of the Court, as against a public body exercising the rights which they are now claiming to exercise; and still more do I feel it, when the rights claimed are so exercised, as in argument the rights have been claimed upon the present occasion, because, undoubtedly, if these gentlemen were under any misapprehension that they might have their wharves entirely closed and shut up, it was high time that they should have some sort of means of raising the question on that part of the case, and in some way having it determined. But further than that, it is a case in which, undoubtedly, the Court would be unwilling to dismiss the information with costs, inasmuch as I have no doubt in my own mind that the property has been seriously injured (I think the property is injured) by means of the Act of Parliament authorising the injury. I have no doubt whatever that the property is considerably injured. It is not a case therefore in which the Court, where parties so injured wish to have their rights determined according to the ordinary course of the Court, ought to dismiss the bills they have filed with costs. I am obliged to dismiss the information and bill of the Fishmongers Company and those other bills without costs."

5645. He determined, then, that the Act of Parliament was against you, but that it was a hard case?—He said that in that court he considered they had no relief, whatever they might have in other places.

5646. Mr. Alderman *Salomons.*] The rights you exercised, whatever they were, were by leave of the City first, and then by the Conservancy afterwards; is that so?—Yes.

5647. Mr. *Locke.*] Can it be so; is not that decision that the Act of Parliament did away with that permission?—If the ruling of the Vice-Chancellor is correct, that would be so.

5648. Sir *John Hanmer.*] At the end of the proceedings on Friday, a gentleman standing below the bar, and, I believe, one of the gentlemen interested in this matter, offered to state what the terms were which the Conservators offered in the first instance to them; if you are able to state them to the Committee, it may have some bearing upon the case?—I cannot do so; but if it is the wish of the Committee to have that information before them, they can have it.

5649. If they had terms offered them which they could receive, it would not be exactly the high-handed proceeding of the Conservators, which it would have been if no terms had been offered them at all?—I think I distinctly stated to the Committee on Friday, that in consequence of there being no assurance of continuance, the parties could not think of rendering themselves liable to laying out such a sum as 5,000 *l.*, or thereabouts.

5650. Could not they have a lease?—There was no offer for that, as the matter stood at that time, as I am informed. I cannot speak of my

my own knowledge; but I understand, and it has been so represented to me, that they felt it might be removed, under the powers of the Act, at any time. There was no assurance of continuance, or they might have gone to the expense; it might be permitted one year, and removed the next.

5651. I believe the Conservators have no power to lease; is not that so?—I believe they have no power whatever.

5652. *Chairman.*] Were the piers which you erected there, previous to the present Conservancy Board coming into office, held under the City of London during pleasure?—We will term them, if you please, floating dummies; they were permitted to be placed (that was the arrangement made by the Corporation of London) outside or alongside of the Campshed, so as to be out of the way of the navigation; and they never have been an impediment to the main navigation of the Thames, nor in any way an impediment to the working of the wharf, either behind or on each side; on the contrary, they have been materially beneficial.

5653. Was that advantage, whatever it might be, held during the pleasure of the Corporation?—It was, as tenant-at-will.

5654. And, therefore, might have been removed any day?—At the end of the tenancy.

5655. Mr. Alderman *Salomons.*] The Conservators did the same thing with you, did they not?—They found it so, and they continued it.

5656. Mr. *Locke.*] Until they removed it?—Until they brought their piers and, by their piers being put up, prevented the working of steamboats as before; it is impossible now to bring any steamboat in to any of these wharves, except as before stated.

5657. Sir *John Hanmer.*] If they had no rights under the Corporation, they were in no better position than they would have been under the Conservators?—Certainly not; but they are not under the Conservators.

5658. Mr. *Locke.*] But, then, they did not erect a pier?—They did not erect a pier.

5659. They merely put some dummies; the expense was very different indeed, was it not?—Very different: the Fishmongers' Company and Mr. Thornton would not have had the slightest objection to go to any expense in erecting such piers as they have there.

5660. Sir *John Hanmer.*] But the Conservators have no power to lease, have they?—No; nor do I see that they have, by the Act of Parliament, any right to carry on business as a joint-stock company, which they are doing, nor as monopolists; whereas by their proceedings they are monopolizing the entire of the River Thames. I am sure that was not the intention of the Legislature.

5661. *Chairman.*] But does not the Act of Parliament place the River Thames under their absolute management?—No doubt their powers are very large.

5662. Mr. *Locke.*] Your objection is that the Conservators have not the power to erect piers, and to take toll on those piers, that that is not the object of the Act?—No.

5663. That ought to be left to private enterprise; and they ought to superintend the entire of the piers, to see whether they are fit or not, and to make proper regulations; but they ought not to be a trading company?—They ought not.

5664. Mr. *Ewart.*] Still it is the duty of the Conservators, is it not, to give every facility to the public which they possibly can?—I think (and it is the impression of all those with whom I have been in communication on this subject), from the way in which the Act of Parliament was read, that it was the intention of the Legislature to give the Conservators power over those piers, but that there was no intention of their interfering with private rights or private interests; that they had power to withdraw permission, where permission had been granted, for piers to be erected or dummies to be put, and that that was the extent to which their powers went.

5665. Mr. Alderman *Salomons.*] Is not the peculiarity of the river this, that where all the wharves are in private hands, the Crown comes in to claim all the foreshore to low-water mark, claiming the bed and soil of the river?—I do not know how to answer that question.

5666. I mean the wharves belonging to private individuals; but the moment you come off the wharves, on to the river, you have no rights except those you may get from the Conservators: is that so?—The citizens of London, and the persons connected with the Thames, found themselves placed in rather a peculiar position with regard to the arrangement that was entered into between the Crown and the Corporation concluding the suit that was pending, because there was a very peculiar agreement which is recited in the Act of Parliament; and all the Corporation did was to convey to the Crown the interest that it possessed, and the Crown could only take that as a trustee for the public. I think, if the attention of Parliament had been drawn to it, it never would have been placed, nor was it their intention to have placed it, in the power of the Conservators to make the very bed and soil of the river a means by which they could get revenue. I refer to the ruling of Mr. Justice Bayley, in the case of Dickens *v.* Shaw, at Brighton, which was a case with respect to taking sand from the shore; there the case was between the lord of the manor and the inhabitants of the town; there was no interposition whatever by the Crown, and in the course of that case, Mr. Justice Bayley (probably as much acquainted with this subject as any person could be) stated, that "as far as the Crown "was concerned, the Crown had no beneficial "right in the soil; it had only a right for the "protection of the public."

5667. Sir *John Hanmer.*] That was a case of a wreck, was it not?—It was the case of the inhabitants of the town. Then, again, Lord Wynford says, in his judgment in the case of Benest *v.* Pipon (which was tried at Jersey, and eventually brought before the Privy Council), "that occupation was the foundation of most of "the rights of property in land," and spoke of "that portion of the shore which 'was capable of "'being usefully occupied;'" and he laid down, that "what never has had an individual owner "belongs to the Sovereign in whose kingdom "it is; whatever any Sovereign has allowed an "individual to possess or improve, he cannot take "away, because he would be taking from the "occupant the value of the labour expended on "it." And I submit that the general opinion of that portion of the public interested in the free and uninterrupted navigation of the river, with regard to this question, is that, if the attention of the Legislature had been called to it, the Legislature would not have taken away that which the common

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common law of the land allows, without directing compensation to be made.

5668. Mr. Alderman *Salomons.*] Is not the fact as I state it this, that although you own a wharf alongside the river, you have no right whatever over the water, or the shore covered by the water, leading up to that wharf?—No right, according to the Vice-Chancellor's judgment.

5669. Whatever may be its effect, does it not appear to be the case, according to this Act of Parliament, that whoever may have a wharf has no right over the water, or over the ground over which the water runs up to that wharf?—If the Act of Parliament is as laid down by the Vice-Chancellor, it puts an obstruction in the way of all those rights to which you refer.

5670. Will you answer my question, yes or no: does it not appear to be so? I do not say whether it is right or wrong: is not the fact so?—The present piers do obstruct the free navigation of the river to these respective wharves.

5671. That is not my question. My question is this: Is it not a fact that while you as a freeholder hold the wharf, you have no authority over the water that flows up to the wharf, or over the soil which that water covers?—I think I have said so, over and over again.

5672. Then the fact is as I have stated?—It is.

5673. *Chairman.*] The Crown did not recognise the doctrine that it merely held the property as a trustee for the public; because the Crown, which was no doubt well advised, made it a condition that one-third of the profits arising from the foreshore should be paid over for its benefit by the Corporation. Is not that so?—That was a contract between the Crown and the Corporation, to which the public were not parties, and to which Parliament was no party.

5674. But does not that show that the Crown did not recognise itself as a mere trustee for the public?—It shows what the advisers of the Crown, conducting that arrangement, tried to carry out; that is all.

5675. Mr. *Longfield.*] How do you say that the Conservancy Board is a trading corporation?—I say I think it is a trading corporation.

5676. Will you just tell me how, in any sense?—Because they make arrangements for carrying on business.

5677. But that is to facilitate the public dispatch of business; do you call that being a trading corporation?—They render services, and they make a demand for those services being rendered.

5678. Do you call that a trading corporation?—I respectfully submit so.

5679. Then is the Post Office a trading corporation, or is the Board of Trade a trading corporation? Do you think that facilitating the traffic of the public, although the Corporation are bound to do so, and deriving no benefit whatever from it individually, the proceeds being devoted to the improvement of the navigation, that that constitutes a trading corporation; I should like to have your opinion upon that?—I am of opinion then that to work the opposed powers in the way in which they have been worked, and will have to be worked if they are to be beneficial to the public, are the duties and proceedings of a joint-stock company.

5680. Do they get a dividend, or do they individually get any profit out of it; is it in any sense a trading corporation? What is the difference between this corporation, so far as they are concerned, and the trustees of a road taking toll and applying it?—In answer to those questions, I must refer to the evidence which the Conservators have given upon this point by their proceedings.

5681. Will you please to tell the Committee shortly what you think is the difference between this corporation, who are trustees of the navigation of the river, and the trustees of a road receiving tolls, and applying them?—I do not see that the Conservators are trustees.

5682. What else are they?—They are not accountable to anyone, therefore they are not trustees; the Post Office authorities are accountable.

5683. I am not now asking you about the Post Office, but what is the difference between this Corporation and the trustees of a road receiving tolls and applying them?—I do not consider that the cases are similar.

5684. Then what is the difference?—The trustees are appointed, as trustees, to carry out a particular purpose, but these Conservators are not appointed.

5685. Not for any purpose?—They are directed that if they shall so think proper they shall do certain things; they are free agents; there is nothing compulsory upon them.

5686. Is that your distinction?—It is.

5687. You think that the one are trustees and the other a trading corporation?—I say that I do not consider that the Conservators are trustees; they are not accountable to anyone.

5688. Then do you consider them as a trading corporation?—I do; I think they are carrying on the functions of a trading corporation, such as they ought not to have been entrusted with by Parliament.

5689. Mr. *Locke.*] You mean to say that they are a trading corporation in a certain sense?—In a certain sense.

5690. In what sense?—In the sense that they will monopolise those functions which heretofore have been carried on by private individuals, and they will carry that on to the injury of those private individuals, and that there is no controlling power whatever over them.

5691. And that they take tolls?—And that they take tolls.

5692. Is there any section in the Act of Parliament enabling them to take tolls?—The Conservators may take tolls from steamboats using the piers, under the 65th section.

5693. Does that section regulate what the tolls are to be?—Yes; upon steam or other passage vessels which shall land or embark any passengers or goods to or from any pier or landing-place, for each and every time of calling at the same, for every passage sixpence each, to be paid by the master of each vessel.

5694. Then it is the Act of Parliament which interferes with private individuals, after all?—Yes.

5695. Mr. *Cave.*] Are the interests which you represent still tenants of the City in any way?—I am not aware that they are.

5696. Then you have no dummies at present in front of your freehold?—There are three dummies, the three which were carrying on the business formerly; they remain in the same position, they have not been removed.

5697. What title have you for keeping them there?—There is no title whatever; they have not been removed, that is all I can say.

5698. But

5698. But you have no freehold right to keep them?—That has never been attempted.

5699. Do you consider that the representatives of the City, or the Conservators, could prevent you from having those dummies that you now have there?—Yes, I think they could; that might be contended by any person complaining of them, because according to the law of the Thames, it is always considered that all vessels may make fast to any wharf or place for one tide, but after that, they may be removed, either by the owner or by other parties, if it is proved to be an interference with the main navigation.

5700. Then, if your dummies could be proved to be an interference, or in fact whether that can be proved or not, either the City or the Conservators could compel you to remove them?—Just so, when the existing tenancy expires.

5701. You complain, not of such removal, not of the termination of the tenancy, as was suggested just now, but of an obstruction placed in front of your property?—Quite so, that is the complaint.

5702. Can you tell the Committee what was the cause of those accidents which you mention as having taken place at Allhallows' Pier?—I have heard from persons passing at the time, that there were two or three steamboats lying there, and that it was in passing over those steamboats.

5703. You do not know it of your own knowledge?—No, I do not.

5704. Is not that obstruction, placed in front of your pier, analogous to an obstruction placed in the street by a new cab-stand being formed?—

5705. What is the difference between the one and the other. Supposing the cab-stand was in a narrow street, and the persons who had shops opposite considered that it was an obstruction, injurious to their trade, would not that be an analogous case?—As far as we know, the cab-stands are generally put in streets where they are wide; that has been the case heretofore.

5706. Supposing such a case as I state, that a cab-stand was complained of by the shopkeepers who lived opposite to it, as obstructing persons coming to their shops; would not that be an analogous case?—I think I said in my evidence on Friday, that the analogous case would be if the Corporation was to attempt to build a wall right in front of Messrs. Cooks' private premises in St. Paul's Churchyard; perhaps, as Commissioners of Sewers, they might do that, or attempt to do it, but I do not think they would be permitted to carry it out.

5707. Would not the cab-stand be an analogous case?—I do not think it would.

5708. What would be the difference between this case and that?—Because people could still come to the shops.

5709. That would be merely a question of degree as to the amount of the obstruction, would it not?—Yes.

5710. But the complaint would be an analogous complaint, would it not?—Of course, if the cab-stand was put before one's door, it is quite evident that it must be an obstruction to any carriage or waggon driving up to the door.

5711. But supposing the cab-stand was placed, not, of course, so near your door as to prevent persons actually driving up, but in such a way as to make the access less easy than it was before; is not that exactly the case that you have to complain of?—No; you cannot make a cab-stand analogous to a river.

5712. It is a road instead of a river, but both are public highways, are they not?—Yes; both are public highways.

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5713. Is that the only difference between the two, that one is a road and the other a river?—The proceedings upon a river are very different to proceedings on land; therefore they are not analogous.

5714. Then you think the only difference is as the practice of a river differs from the practice of a road?—Yes.

5715. Mr. *Locke.*] Let me call your attention to this, because there is some mistake about this granting of license: if you refer to the 57th sec. of 20 & 21 Vict., c. 147, you will find that the Conservators may grant licenses for the erection of piers and jetties; and then sec. 58 regulates the consideration for licenses to be previously approved of; then the 59th section gives a power to the Conservators to erect piers and landing places; and then, when they have erected those piers and landing places, they may lease them?—Yes; but I have to submit that that means to lease piers coming from their own land, from their own property, and to erect them at convenient places, of such form and construction as the Conservators should consider most advantageous to the public. Of course there is no power in the Act of Parliament to give the Conservators authority to come on to the Fishmongers' Company's freehold, or Mr. Thornton's, or any others.

5716. But there the question arises as to the soil and bed of the river: the Conservators put their piers out in the river in front of the Fishmongers' Company?—They have done so; whether they had a right of doing so is another question; they have stopped up the public highway on purpose to get a landing place.

5717. Does not the decision of Vice-Chancellor Wood say that they may do this?—Yes; Vice-Chanceller Wood says they may place these piers in front of any wharfinger's place.

5718. That certainly does not enable them to come and place a pier upon your wharf?—No. I submit to the Committee that it is quite clear, power to lease only refers to such piers as they (the Conservators) themselves may erect from their own property; they have no power whatever to lease a pier to go out from the Fishmongers' Company's property, they could not grant a lease: I put that clearly before the Committee, that the Conservators could not grant a lease to the Fishmongers' Company, or Mr. Thornton, or any other party similarly situated.

5719. Why not? By the 57th section the Conservators may grant license for erecting any piers and jetties to other parties.—The word used is, "such as may be duly agreed upon any such pier." That refers to the preceding clause; "such pier" means the pier which the Conservators themselves have erected.

5720. The 59th and the 60th clauses go together; the 59th enables the Conservators to erect piers and landing places themselves; and after they have so erected them they may let them to anybody they please, I believe?—Yes.

5721. I presume that the 59th section would not give the Conservators the power to erect a pier and landing place to come off anybody's wharf; it does not authorise that?—Certainly not.

5722. Therefore the places where they do erect them are in front of public stairs; and then there is a provision with respect to that, that they are

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not to place them before public stairs; and if they do place them there they must leave access; is not that so?—You are perhaps referring to the 62d clause: "Whenever the Conservators shall shut up, remove, or take away, or in any manner obstruct the free use and enjoyment of any existing public stairs or landing place now marked by the Watermen's Company, they shall cause some equally convenient free public stairs or landing place to be erected or provided in the place or stead of the stairs or landing place so shut up, removed, or taken away, or the free use or enjoyment of which may be in any manner obstructed." I was going to say that the Conservators have not, I believe, in any case where they have made use of the free public stairs marked by the Watermen's Company, they have not up to the present moment, erected other equally convenient free public stairs. I know of my own knowledge, with regard to the stairs at London Bridge, on the Surrey side, and at Allhallows, those have been entirely taken away from the use of the public, and the free use and enjoyment of those at Old Swan greatly obstructed, and up to the present moment they have not erected any equally convenient free public stairs or landing places; and I believe they cannot do so without purchasing land which they are by the Act empowered to do by the 112th section: "It shall be lawful for the Conservators, from time to time, as they shall think fit, to purchase from any person who may be willing to sell the same, any land which the Conservators shall require for the purposes of this Act."

5723. I think, if you look at the 57th section, you will find that it applies to owners and occupiers of lands adjoining the river at the places where the piers or landing places hereinafter mentioned are to be erected; therefore it empowers the occupiers of the lands to erect piers when those piers, it would clearly seem, are not to be erected upon the lands of other persons?—Quite so.

5724. But in front of stairs?—In front of stairs.

5725. *Chairman.*] I understand from you, according to the manner in which you read the Act of Parliament, that it gives the Conservancy Board no authority to grant leases to other parties of piers which those other parties have erected?—Quite so.

5726. That is the way in which you understand the Act of Parliament?—Yes.

5727. And that consequently the Conservancy Board could not have granted to the Fishmongers' Company a license of any pier which they might have erected opposite Old Swan Stairs?—Quite so; they had no legal power to do it.

5728. Sir *John Hanmer.*] I rather understood you to call in question the common law right of the Crown to the property in the soil between the high-water mark and the low-water mark. It is a very common opinion amongst persons who squabble with the Crown; but permit me to say that that is quite an erroneous opinion?—I think you misunderstood me.

5729. Mr. *Longfield.*] I think what you said was that the Crown was a trustee for the public?—Yes; but cannot make any beneficial use of it.

5730. Sir *John Hanmer.*] Are you not aware that, from time immemorial, before the time of legal memory, up to this day, that the Crown has made a beneficial use of it?—I am aware that the Crown heretofore has made several grants which at the present day, I think, would not be justified or allowed.

5731. Do you mean to say that the common law right of the Crown has been altered or modified in these days?—I think you cannot carry it higher than this, that the Crown is the great trustee for the public.

5732. Is it not the fact that the Crown was originally held by the law to be the actual owner of the soil between high and low-water mark, and if I or any other subject claimed to be the owner of such soil, as we may do, we must show in some manner or other that we have received that right from the Crown?—Yes.

5733. That is the fact, is it not?—I think you should look at it in this kind of way; every lawyer is agreed that the Crown has, *primâ facie*, the soil between high and low-water mark.

5734. The property?—The property; and the persons who are holding against that must show that they have a title derived from the Crown in some way or other.

5735. That applies to the Thames as well as to any other estuary or tidal water, does it not?—Certainly; I do not mean to vary that at all.

5736. *Chairman.*] I understand you to say that the Crown does not hold this in absolute fee, but conditionally?—Conditionally, as the trustee of the public. Is it not exactly the very same estate that I have in the land which is intersected by a turnpike road; if a turnpike road goes across my land, every waggon has the right of that highway, subject to the right of the soil upon which the road is, remaining my soil?—That may depend upon circumstances.

5737. Mr. *Longfield.*] What you mean is, that you admit the legal right, but you say they ought to hold it as trustees?—I do not say "ought;" I say that the Crown holds as a trustee for the public.

5738. *Chairman.*] Have you any other observations to make to the Committee?—I believe that Captain Burstal stated that the City Pier was in the way of the inshore navigation; I should wish to refer to that particular part of Captain Burstal's evidence, in order to say that the dummies which, I believe, the Committee saw when they went down the river, were really no interference with the inshore navigation, as they existed when the navigation was carried on along that shore; but on the contrary, they were of great advantage, not merely to the lessees of the Fishmongers' Company, and the lessees of Mr. Thornton, but likewise to the occupiers of the adjoining wharfs. I state that; and if the Committee wish it, of course there can be plenty of evidence given with reference to it, practical evidence, by the men and persons interested in it. I merely mention it in order that it should not be said that I am not a practical man on that point. I say that evidence bearing on it, which would be quite satisfactory to the Committee can be given. Then, with regard to Captain Sullivan, I understood him to say, on the 8th of May, in his evidence, that the steamer called the "Sibyl" was out of her course, and therefore struck on the edge of a shoal on the south bank of the river, immediately below London Bridge. I am sorry to say that Captain Sullivan was perfectly in error upon that point. I have a report here, in the form of a letter, from Mr. George Lamerton, which I can read to the Committee.

5739. Who is the letter from?—From the captain

tain of the "Sibyl" to the Secretary of the Woolwich Steam Packet Company. It is dated 13th June 1863, and is as follows:—"Sir,—It having been intimated that on the occasion of the sinking of the 'Sibyl' steamer, at London Bridge, on the 7th of March last, I was not taking that vessel the usual and proper course; I beg to state that I have been master of different vessels belonging to the Woolwich Steam Packet Company for a period of nine years, and that in navigating the vessels under my charge, I have had to take them through London Bridge on the average five or six times each day, that on the occasion referred to, I shaped my course to go through the second arch, and as near the centre thereof as I could, and should have done so but for striking the stone, by which the 'Sibyl' sunk, and that I have generally taken the second arch, believing the deepest water was to be obtained there. I further beg to state that such course has been also taken by the other masters in the Company's employ, and others navigating steam vessels through London Bridge." I hand in the report (*see Appendix*). The Conservators' attention has likewise been called to the fact that there are stones, and likewise to vessels striking those stones, and they have paid no attention to those communications up to the present moment. I have also to state that from the alteration which has been made, a new bank is now gradually growing up below London Bridge, opposite Fresh Wharf; the usual sea-going steamers that come there had, until lately, plenty of water, but now they take the ground often, and are delayed in sailing at their appointed time The Conservators' attention has been called to it, and up to the present moment nothing has been done.

Mr. *J. B. Towse.*
15 June 1863.

Mr. Stephen William Leach, called in; and Examined.

Mr. *S. W. Leach.*
15 June 1863.

5740. Mr. *Longfield.*] Can you give the Committee any information about this growing shoal to which the witness refers?—Yes; the Conservators had a report of it brought to them, and they directed me to have a survey of the river made there. I had a very minute survey indeed made, and the result of that survey in comparing the soundings which were then made with those which were made in 1836, showed that no such accumulation whatever had occurred.

5741. That is not merely an opinion, but the result of actual measurement, is it?—Certainly; the survey in 1836 was taken by Captain Burstal, before the Conservancy Board was established; those that were taken under my direction were taken by a perfectly independent surveyor.

5742. And the result was directly to contradict what the witness has stated?—Certainly.

5743. Mr. *Locke.*] Are you aware that vessels have taken the ground there?—I am perfectly aware that the "Sibyl" struck upon stone there.

5744. How was that?—The reason, I believe to be this, that there were stones that were thrown in, and were left in the river at the time Old London Bridge was taken down.

5745. Have you taken those stones away?—They are not actually removed yet, but the Conservators have ordered them to be removed.

5746. Then, in consequence of the communication that was made to you, you are removing some stones?—Yes.

5747. Then you are complying with the requisition that was made?—Certainly.

5748. But you have not done it yet?—It is not completed.

5749. Mr. *Longfield.*] Have you removed any yet?—No; the fact is, that it is a very difficult place to get such stones as they are out. It was found necessary to procure a diving bell, and to fit it up for the purpose; the diving bell has been procured, and the machinery, in the course of another day or two, will be completed, and the work will be proceeded with.

5750. Mr. *Locke.*] Then, I understand the difference of opinion between you and those who made the complaint is this: you say that the stone was always there; they say it has been recently accumulating, but you are taking it away whether it is of ancient date or of recent accumulation, and you are doing it at the instance of some persons who made that complaint?—Yes; I should explain, that there are two shoals referred to; the stones upon which the "Sibyl" struck are distinct from the shoal which is stated to be in the front of Cox & Hammond's quay; they are distinct altogether, but neither of them have been occasioned recently; they have been in existence for several years.

5751. Then, how is that vessels did not strike before?—For this reason, it was formerly customary for the Woolwich steamboats to land their passengers below London Bridge, on the north side of the arch; their course, then, in coming away from the pier was to come on the north side of the arch, where there was quite an adequate depth of water for steamboats; but they are not bound to take that course now; and on the occasion upon which the "Sibyl" came up, there was an unusually low tide; the master was a little too far over, on to the south side; he was going to land his passengers at the Allhallows' Pier, and came a little too far over on the south side, the consequence was that he struck on a stone there.

5752. *Chairman.*] Were you aware of the existence of that stone in the water-way before that accident occurred?—No, I was not; I have periodically to examine the river under London Bridge, and around it, in order to see whether it continues in the same state; therefore my attention is very frequently called to that part of the river; but though I sounded it myself two or three times a year I had not, as it happened, hit upon those stones.

5753. Mr. *Ewart.*] Is there the same depth of water on the shoal as formerly?—For the last 15 or 16 years there has been no alteration. Perhaps the Committee will allow me to explain that vessels are frequently in the habit of letting go their anchors there, billy-boys, and others, as it is called, kedge themselves down; that is, they have their anchors just on the ground; and it is quite possible that they may have removed some of these stones where the water is shallow, and have dragged them into a position where they might be dangerous.

Mr. Sidney Smith, called in; and Examined.

Mr. *S. Smith.*

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5754. *Chairman.*] You are, I believe, a solicitor?—I am.

5755. You have been for some years, I believe, a good deal concerned in promoting measures for the public improvement of the City of London?—Yes.

5756. Are you secretary to the London Merchants' Committee for resisting the encroachments of the great dock companies, and preserving the right of the citizens to the free course of the water-way of the River Thames?—I was while it existed—also Secretary to the Committee for Reform of the Board of Customs. I am Secretary to the Thames Conservancy Committee, and to the Association for promoting the Trade of the Port of London.

5757. Are you acquainted with the Act of Conservancy for the River Thames?—Yes.

5758. Various persons have objected to some of the provisions of the Conservancy Act since it has been in operation; did you, and those with whom you have acted, take exception to it while it was in progress through the Legislature?—Yes, we did.

5759. What steps did you take in accordance with that view?—We addressed Sir George Grey upon the subject, objecting particularly to the constitution of it. We also took part in a public meeting that was called by other individuals at Palace-yard, for the purpose of protesting against the passing of the Bill. I observe that another and independent association, called the "Managing Committee for the Reform of Abuses in the City of London," agitated the question with the same object.

5760. What did you object to in the measure while it was a project before Parliament?—It was chiefly, and on principle to the proposed constitution of the Board, before we knew anything of the individuals of whom it was to be composed. We objected to the method by which it was appointed. It was merely nominative, and not in any degree representative; and it was obnoxious to the singular objection even as a merely nominated body, that it was not in the least responsible to the persons who nominated.

5761. Did you take any steps in the matter?—Yes, we petitioned Parliament; and we also had deputations to Sir George Grey.

5762. What was the prayer of your petition to Parliament?—It was that the Bill should not be passed. We were taken by surprise at the third reading. We did not know much about it in sufficient time to afford the opportunity of altering its provisions usefully; and we particularly solicited that it should have a representative character; that the persons who were to be interested in or directly affected by the management of it should have a voice in the way in which it was managed, especially as there were large taxing powers in the Bill.

5763. You say you desired that the Conservancy Board should have a representative character?—Yes.

5764. Did you desire that they should hold their meetings in a public court?—Yes; even the former Navigation Committee was a Court of Conservancy, against whose acts an appeal was open to the Court of Common Council of 240 elected members, and to which it had regularly to report. We were afraid, as the phrase went, of being "strangled by deaf mutes," as no person had access to the modes by which they determined claims, or grants, or licenses, or prosecutions against individuals, and the different methods of management in operation. We were quite uncertain as to the reasons and principles by which they were to be guided; and we considered that it was in theory desirable, if it was a Court constituted by mere nomination, that its affairs should be public, so that we should know what were their reasons for what they did.

5765. Will you state compendiously to the Committee all the objections that you feel to the constitution of the present Board?—The Board is entirely nominative. By an original report of the Board of Trade made while this Bill was being passed through, it is stated "That this Committee are of opinion that the various conflicting jurisdictions and claims of the Admiralty, the Trinity House, and the Corporation of the City of London, over the River Thames, below the bridges, have had a most injurious effect upon the interests of navigation, and that it is desirable that they should be consolidated and vested in some one responsible body." We entirely concurred in that, and in the great desirability that persons connected with the trade of the river should not be distracted by a conflict of different jurisdictions, a foreseen result which experience has actually confirmed; for instance, the Watermen's Company enjoins one law, and the Conservators enjoin another law, with reference to the very same thing; and there are conflicting jurisdictions as to the Trinity House, and as to the Merchants' Shipping Act.

5766. You stated two points upon which you objected to the Bill as it was passing through Parliament?—Especially we objected to the non-representative character of the then proposed Conservancy Board, and that the persons chiefly interested in its acts had no voice whatever in its management. We were also warned that unless private rights in the foreshore, and privileges by prescription, were better protected than by the saving clauses, by allowing the Bill we were parting with powers of property which might be used to the serious injury of individuals. We applied to the Admiralty in reference to the nominee of the Admiralty, and he was entirely disclaimed. The Admiralty stated that they had simply in obedience to the Act of Parliament, nominated an individual to sit at the Board, but they were not in any degree responsible for what he did and said, and they had no more to do with him.

5767. On what occasion was that statement made by the Admiralty?—It was by a letter, dated April 29, 1861. This was after it had been previously condemned by the Duke of Newcastle, who entirely objected to the constitution of the Board. "Admiralty, Whitehall, April 29, 1861—Sir, I am desired by the Duke of Somerset, to inform you in reply to your letter of the 26th instant, that the Thames Conservancy Act did not originate with the Admiralty, and that beyond the appointment of two Conservators in accordance with the 3d section of the Act, the Admiralty have no responsibility connected with its working." Previously to that, the Duke of

of Newcastle had equally objected to it, and the Committee has heard Captain Sullivan state here that he was so little responsible to the Board of Trade, by whom he was nominated, that if the Board of Trade directed one thing, and he as a Conservator thought another thing was desirable to be done, he should never think of observing the directions of the Board of Trade.

5768. In what form did the Duke of Newcastle object to the constitution of the Board?—In his place in the House of Lords on 21st July 1857: "Speaking for himself, and he believed for those who carried on these lawsuits after he left office, he might observe, that the object in carrying them on was not so much to defend the rights of the Crown as to protect, on behalf of the public, the great highway of the country, and to place it under a better jurisdiction; but so far from that object being attained by this compromise, the conservancy of the river in which the public were so greatly interested, would be handed over to that very body which he as well as his successors in office believed to be incomplete; but the truth was, this Bill giving to the Corporation the power of licensing encroachments on the river, would greatly increase the expense attending the future embankment of the Thames. The future management of the river would be practically in the hands of the City of London. It was a farce to call the proposed Board an elective body. The Trinity Board would even be placed in subjection to this body of Conservators, and he believed that the inhabitants of the metropolis at large would have just cause of complaint if this Bill were passed."

5769. Mr. *Longfield.*] Was the Duke of Newcastle in opposition then?—No, he was a member of the Government. Sir James Graham, who was neither in opposition nor in the Government, said, "There were third parties, viz., the public and the owners of property on both sides of the river, whose interests had been overlooked; the question now is whether the present Conservancy Board is well constituted. There was, he thought, great force in the argument that a body so nominated was very objectionable; he preferred an elected body, and was quite at a loss to conceive that at this time of day the House should affirm that the best conservancy for the most important port of England, and for that river, should be vested in the Lord Mayor." The Commission recommended that those who had the management of harbours, &c., should have the requisite knowledge. It was most important that these governing bodies should be, as far as possible, elected and not nominated; elected by those who contributed to the fund, and not nominated by close bodies." Mr. Labouchere said, "As a general rule it was important that the management of the river should be under an independent and irresponsible Board." Lord Campbell "Did not think the right of the soil should be transferred to the Corporation; because their conduct in regard to the Conservancy of the Thames had often been the subject of strong complaint." General Codrington "Opposed the Bill, because the navigation of the Thames would be seriously damaged by embankments, wharves, and piers erected upon it by irresponsible persons." There were several others who spoke in the same way, and the Board of Trade made an express report on the subject.

5770. Was there a division in the House of Lords upon that?—I do not think there was; I think it was carried by the Government, with a sort of promise, that if it did not work well, the Government would take steps to make it work better.

Mr. *Wyatt* stated that there was a division in the House of Lords, and that there was a considerable majority in favour of the Bill.

5771. *Chairman.*] Do you know what Minister it was who stated that if the Bill was not found to work well, it might be made to work better?—I think it was the Chancellor of the Exchequer who stated so; he said, "If, however, it should be found on experience that the views of the Government were unduly overruled by the Corporation members, and that the interests of the public were sacrificed to any corporate interest, it would be the duty of the Government representatives to bring the matter under the notice of the Executive, who, if they found that the constitution of the Board as now proposed was unsatisfactory, would then feel called upon to adopt other measures;" and here is the Report of the Board of Trade upon this very Bill.

5772. Mr. *Longfield.*] That was before the passing of the Bill, was it not?—Yes; it is dated 8th May 1857.

5773. Was not that report modified afterwards?—Yes; but that part which was modified had no relation to the promise made as to the Board. The Report of the Board of Trade stated "The Report of the Royal Commissioners recently appointed to inquire into the state of the Corporation of London contains the following passage concerning the Conservancy of the Thames: 'The Conservancy of the river has been already the subject of Parliamentary investigation, and many opinions respecting it were expressed by the witnesses whose evidence we received. It appears to us that the management of the navigation of the Thames, from Staines to Yantlet Creek, including the regulation of the Port of London, is not in harmony with the ordinary municipal duties of a Committee of the Common Council, and that it requires an access to more extensive interests and a greater command of technical knowledge than they possess. We therefore recommend that the principal control of the navigation of the Thames should be vested in a Board, composed of the Lord Mayor, the First Lord of the Admiralty, the President of the Board of Trade, the First Commissioner of Woods, and the Deputy Master of the Trinity House, and that they be empowered to employ persons having the requisite professional knowledge for performing the detailed administration. The general principles involved in these recommendations are consistent with the suggestions which, having regard to the interests of trade and navigation, my Lords have thought it right to make in reporting on other Harbour Bills of the present Session. From these reports it will be seen that the body to which the conservancy of a great public harbour is intrusted should, in my Lords' opinion, possess all the legal powers requisite for managing the harbour and all matters relating to navigation therein; that it should also possess the knowledge and experience requisite for the due performance of its duties; and, above all, that it should be responsible for their due performance. The plan proposed in the present Bill appears to my Lords to fulfil none of the above conditions. The new Board will not be the sole body exer-

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cising powers of conservancy in the Thames, and will not possess all the powers requisite for the management of the river and its navigation. The Government nominees on the Board will be in a minority, and will, as against the members chosen from the City of London Corporation, possess no real power. It will be impossible to hold the Ministers who appoint them responsible for the conduct of the Conservators; the Corporation of London will continue to possess the real power, whilst they will be no more competent, and will be even less responsible for its exercise than they are at present." The result here foreseen actually occurred: the Ministers disavowed all responsibility for the constitution and acts of the Board other than that of nominating the respective Government members in obedience to the Act.

5774. *Chairman.*] Does it appear that the gentlemen representing the Corporation have overborne the other members of the Board?—That we know nothing about, because their whole proceedings are secret, and there is no access to them of any kind; they are responsible to nobody, not even to Parliament.

5775. But your objection is not of that kind; your objection is, as I understand it, that the Board has not a representative character?—It has not a representative character.

5776. That it is irresponsible?—Yes.

5777. And that it transacts its business with closed doors?—Yes.

5778. Mr. *Longfield.*] But you are not aware of a single practical objection in the working of the Board, are you?—Yes, I am.

5779. Then will you state it, if you please?—By a decision of the Court of Queen's Bench, and by a verdict of a jury, a landing-stage under the southern arch of London Bridge is declared to be a nuisance; and that license was renewed by the Board of Conservancy.

5780. Was not that before the Act altogether?—The verdict was; the license was not.

5781. Do not the Board of Trade, in their report, recommend a nominated Board altogether, and not a representative Board?—Yes, but not of nominees of the Corporation.

5782. Your objections are of the constitutional kind; you think that everything that has power should be elective?—Yes, and also practical, founded upon actual results. I hear it suggested in this Committee that the objection is the same as that which thieves would have to constables; but if that rejoinder has any point, burgesses ought not to elect their own magistrates or manage their own police; and electors ought not to appoint their own members to tax them or enact penal laws.

5783. I suppose you are secretary to some Liberal association for the enlargement of the franchise?—No, I am not; I am secretary to the Liberal Registration Association of London. I was secretary to the Association for the Reform of the Board of Customs, and I am secretary to an Association for procuring a reform of the Conservancy.

5784. And for the redress of all grievances, I suppose?—No; only such as are of a practical kind, such as we have here. In the absence of a chamber of commerce, the mercantile community of London have done me the honour to think I can serve them in reference to public questions connected with the trade of the port; but they are not theoretical grievance-mongers.

5785. The fact is, is it not, that these objections were pointedly brought before the two Houses of Parliament at the time of the Bill passing; I mean all these theoretical objections?—Some of them were.

5786. First, that the Corporation of London would have a majority?—Yes.

5787. Next, that the nominated members would be overborne by that majority?—Yes.

5788. Next, that it was not a representative Board?—Yes.

5789. And all these objections were before the Houses of Parliament?—Yes, they were.

5790. They were constitutional objections, were they?—Not only constitutional but practical, because it was thought that persons would have no confidence in a Board that had no responsibility.

5791. It was thought that those objections would prevent the efficiency of the Board, was it?—Yes, it was.

5792. Those were the theoretical objections before the Act passed?—Yes.

5793. Has a single one of those objections ever been found to be of practical value?—Yes; I have stated that if this had been a representative Board, the landing-stage under London Bridge would never have been allowed; there would have been an appeal by the persons who were aggrieved by it, and by other sections of the public. A Board of shipowners, bargeowners, merchants, and wharfingers, men personally interested in the proper management of the river, never would have tolerated an obstruction to the vast navigation of London of one-third of the water-way of the southern arch of London Bridge to get a rent out of penny boats which could have been better accommodated lower down the river. Nor would they have suffered a single engineer at his own hand to tamper with the foundations of the bridge pier by removing foundation stones for mere convenience of fixing his landing-stage.

5794. Who are aggrieved by it?—Mr. Fennings, one of the gentlemen who was here not long ago, and all who have trading craft on the river; also the trustees of London Bridge.

5795. Do you speak of the landing at the Surrey side of the river?—Yes, that is one; and I may be pardoned for saying that a verdict of a jury in the Court of Queen's Bench is very good evidence of a nuisance, and that if that nuisance is licensed it is an abuse of the powers of the parties who permit it.

5796. Was not that verdict before the Act vesting the powers in the Conservators?—Yes.

5797. Did not that merely decide this, that nothing could be erected in the river without lawful authority, and that anything erected without lawful authority was technically a nuisance?—No, it was not so; we knew that it was a practical nuisance, and it was found to be so by a jury. I must be permitted to add, with great deference to Vice-Chancellor Wood, that every projection into a tidal river within high-water mark is not necessarily a nuisance; also every wharf sea-wall, or dock, would be so. Hale, the leading authority, says, such projection is not a nuisance, unless it materially obstructs the free navigation of the river. Therefore, in law, a nuisance is never merely technical, but is a real fact to be found by a jury, not merely assumed by a judge. In this case, a jury found that not merely a private injury, but a public nuisance had been committed.

5798. Without

5798. Without any authority?—There was an authority, exactly the same as there is now, according to what I have heard contended here this morning; because it was erected by the Navigation Committee of the Thames; and I have heard it suggested here, that that Committee could grant licenses for projections.

5799. The Navigation Committee at that time had not the right to erect, had they?—I have heard it contended just now that they had.

5800. *Chairman.*] I understand you to object to this Board, because it is irresponsible?—Yes.

5801. Is it not responsible to Parliament?—No, it is not.

5802. Mr. *Longfield.*] Did you go round to the Corn Exchange and the Coal Exchange, and other places, to get up complaints upon this matter?—No; I never did anything of that kind.

5803. But in your representative capacity, did you send circulars to get up a petition?—No, I did not. I was directed to send circulars to parties interested, informing them of the nature of the Bill. I also notified to them the appointment of this Committee, and that if they had statements to make, either in support of, or in objection to the proceedings of the Board, they could be examined.

5804. *Chairman.*] You say the Conservancy Board is not responsible to Parliament?—No.

5805. How do you understand the 48th clause?—Simply, that there is a provision there that they shall report to Parliament, but there is no penalty for not reporting. They may report what they like, and there is no power of comparing the actual transactions of the Board with the report that it chooses to make: in point of fact, there have been constant returns moved for to supplement their report, which is so defective that it requires great deal more detail to make it really useful.

5806. Mr. *Locke.*] What report are you speaking of?—The Conservators are enjoined to make a report to Parliament every year; but there is no provision in the Act to compel them to make it, or to prescribe what it shall be; and there is no power whatever in any body to go to their minutes and compare their minutes with the report which they make; it is just as secret now as it ever was.

5807. *Chairman.*] With respect to the accounts, is there not a clause in the Act of Parliament which directs the Government to appoint an auditor?—Yes.

5808. Is that auditor not appointed?—I do not see any evidence of it at all anywhere: on the contrary, I see the accounts certified by the chairman and the secretary, that is to say, they certify their own accounts; I see no evidence of any audit.

5809. Then, there is no auditor?—There is no auditor; but there is a certificate, by the gentlemen themselves, that they audit their own accounts.

5810. Mr. *Locke.*] Then nobody can check them at all?—No one at all. There is a clause providing that the offices of the Board shall be within the City of London, and they are not within the City of London.

5811. Mr. *Longfield.*] It is provided, "That fourteen days at the least previously to such examination and settlement as aforesaid, the Conservators shall cause a full and true statement and account to be drawn out, of the amount of all contracts entered into and of all monies received and expended by virtue of this Act during the preceding year, and also of all debts then owing to the Conservators, and they shall allow such statement and accounts to remain for inspection at the Conservancy Office" Have you ever written to them to say that they have not complied with that section?—No, I have not. If, in place of reading an isolated sentence from the Act, you will be pleased to examine the context, you will see that the only persons to whom the accounts are open for inspection are the Conservators themselves, their mortagees, and creditors (*vide* sec. 114, 115, 116).

5812. Just look at Section 116, and for the future get your society to look into this. Did you ever write to the Conservators for liberty to look into their accounts?—No, I did not. I did not act either for Conservators, mortgagees, or creditors; and the Act gave no other persons a title of inspection.

5813. Perhaps you have not looked at that section?—I have it here.

5814. Did you ever apply to one of Her Majesty's Principal Secretaries of State to appoint an auditor?—No, I did not.

5815. Mr. *Lindsay.*] I suppose you never had any reason to doubt their accounts being accurate?—No, I have not; at the same time the returns made to Parliament show they ought to be more detailed and specific.

5816. Therefore there was no necessity for making the application?—No, only publicity; an open Court is a piece of machinery which ought to exist in a public Board of this kind, and the absence of this was one of the objections we made to it.

5817. *Chairman.*] There is another department of the Government which appoints an assessor, is there not?—Yes, there is; that appears to me to be almost a complete evidence of the utter inefficiency of the whole Board; the most important functions which the Conservators have to discharge they are not entrusted with. There is an assessor nominated; it is not said what sort of assessor he is to be, or what a "competent person" is, but there is to be an assessor nominated yearly by the Conservators. I suppose if he does not please them he will be dismissed next year; they cannot be entrusted with that most important function, which they ought to have if they are a properly constituted body, that is, of assessing what they are to charge. There is a preamble in the Bill of a contract as respects the Corporation of London and the Government in reference to their several pecuniary rights, one part of which is that the Crown is to have one-third of all the proceeds; and I believe the provision for approval by the Crown of an assessor is merely an arrangement between the Crown and the Corporation of London to protect the Crown's private rights.

5818. Why do you suppose that. It appears that this is an officer appointed by a public department of the Government who is totally irrespective of the Conservancy Board?—He is appointed not by the Government but by the Conservators.

5819. Is he not to be appointed by the Government?—No, he is only to be approved by the Government; he is to be nominated by the Conservators themselves.

5820. Is he not wholly independent of the Conservancy Board?—Certainly not, because he

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is to be nominated every year; and if the Board is not pleased with him, they will drop him next year. But if the Conservancy Board were properly constituted it should not require any such officer, because it is taking out of their hands the most important function they ought to possess, which is that of assessing as between themselves and the public; and it shows the weakness of their constitution that in consequence of the Board being neither responsible, nor representative, nor amenable by publicity of their proceedings to public opinion, the framers of the Bill had to betake themselves to such an expedient for assessing the grants that were to be made as against the public; if it were a properly constituted representative Board, it ought to assess those things for themselves. It has further to be observed, that this office of assessor has the restricted functions of assessing the value of licenses, grants, or permissions. Where the greatest opportunity for jobbery is afforded, the letting of piers or landing places, the assessing of tolls, the settling the price either of bought or of sold land, the letting of contracts for works is left by the Bill entirely to the discretion of a secret and irresponsible Board.

5821 Have you any other objections to urge against this body?—These are not my objections; I am trying, as well as I can, to embody the opinions and feelings of those whom I represent: their general feeling is this, that for the mere execution and carrying out of practical details such as removing shoals, regulating ballastage, moorings, tonnage, and common dues, clearing obstructions, controlling the navigation, police, barges, and other technical matters, they have no such great objection to this Board; it is to the legislative powers and to the discretionary powers which are entrusted to them, and which they think have been improperly exercised, as in the case of the Fishmongers' Company; they are perfectly alarmed for themselves on the shore of the river, that the same confiscation (for it is nothing less) of their rights will take place as has taken place with the Fishmongers' Company, the Cloth-workers, the Brewery Company, Messrs. Thornton's, whereby real property has been diminished in value to the extent of at least 30,000 *l.* It is quite a mistake to suppose that the Crown has any right whatever to appropriate the foreshore of any navigable river to the extent of obstructing that access from the water to the land of the proprietors abutting on the river, which they have enjoyed far beyond human memory, and that is the grievance which exists here; it is right in front of the property of those persons, which property has been washed by the tide of the river since the Creation; and if the owners severed any of the frontage, the parts nearest the gangway would be entirely shut out from access to and from the river.

5822. Then is your objection to the Act of Parliament, or to the manner in which that Act of Parliament has been carried out?—The objection is not only to the Act of Parliament, but to the way in which it has been carried out. Parliament never did or could contemplate absolute confiscation of this sort. It would have provided compensation to individuals for any appropriations necessary for the public interest; indeed, that it thought it had done so is obvious from the 140th and 141st sections of the Act. But in consequence of its authorising the Conservators to make the appropriation before being bound to ascertain the value or to deposit the amount assessed, there is no compensating fund, and the persons injured by their acts are left without the remedy reserved formally by law and by the Act. Had the Board been representative it would not have erected the piers until it had provided compensation. The opinion of Mr. Leach has been given that a verdict for the proprietors would certainly be recovered, but that is of no use where the return to the writ would be "no effects."

5823. Do you imagine that it has been illegally carried out?—We think so; and even if it is within the strict letter of the law, it has not been done in otherwise than an oppressive manner; and the decision of Vice-Chancellor Wood, in which he refused the costs to the respondent in that case upon the express ground that an important private and patrimonial right had been confiscated by the Conservators, is evidence of it.

5824. Would the persons you represent be satisfied if these same powers were vested in a representative body?—They are quite aware that there must be, and content that there should be large discretionary and legislative powers entrusted to any Board which is efficiently to discharge the functions of the conservancy; but they require a voice in the management to protect their rights, and an open court of appeal from judicious proceedings. I may say it is not merely what the Conservators have done, but what they threatened to do, by the Bill which they introduced into Parliament this session, which alarmed my constituents a great deal more than ever; and they saw that there were fresh encroachments threatened, and that heavy powers of taxation were to be taken; the original bill empowered the Conservators to borrow 100,000 *l.*, and vests 130,000 *l.* in them; the public were alarmed as to the further exercise of these powers without some proper and efficient control on the part of a representative body.

5825. What kind of representative body do those you represent recommend?—They recommend that those persons who are subject particularly to the control of the Conservators (the owners and occupiers of property, the shipping companies, and others) should be represented at the Board. It was originally called "Court" of Conservancy, which means that it should be held as a "Court" openly. That was the name it originally got. We think there should be the power of appeal from the decision of the committees of the conservancy to the whole body; that is particularly what they desire. I may mention that the River Tay, at Dundee, has 21 Conservators, who are all representatives; the Mersey has 28, and the Clyde has 25, and they are all of a representative character.

5826. Not all, are they?—The whole of the members are not elective, but they all have a representative character; that is to say, even where they are only nominated it is in consequence of having interests affected. In the greatest mercantile port in the world there are only 12, and those are all nominees. We propose that the Lord Mayor and three of the Court of Common Council shall represent the Corporation, as it has patrimonial interests, besides the public interest, to a certain extent. The Lord Mayor himself is an alderman, and therefore there is no necessity for having any more aldermen at the Board. There is another objection to aldermen, which is, that they are elected for life, and are not

not therefore responsible to constituents who can call them to account. We think there should be one from the Trinity House (who should exercise all the powers that conflict with the Conservators, which are at present exercised by the Trinity House), one for the Board of Trade, one for the Admiralty, one for the Home Office (it appears here that the Home Office is to appoint an auditor, and he has never been appointed), and one by the Watermen's Company; these, of course, would be all nominated by their respective interests. I propose to have one for the shipping companies of the port incorporated by charter or Act of Parliament, who could be quite easily elected by the ascertained Boards of Directors, the election certified by the secretaries respectively. If the Boards did not agree on the election of the same candidate let the Board of Conservancy, in case of equality of votes, choose which candidate should be the representative; one by the dock companies, who are also incorporated in the same way. There might be one by the registered shipowners, because the list of electors could always be made up from the Custom House books, one for the Legal Quay wharfingers, and one for the Sufferance wharfingers. I see there are 111 wharfingers licensed by the Customs. There might be one by the registered lightermen and barge-owners, of whom, I believe, there are 900. The constituencies in these two cases are already registered to your hand. If it were possible to obtain a constituency, the members of Lloyd's, the Society of Underwriters, would be a very good body to be represented; and the Society of Coal Merchants, who have a very great interest on the river. In reference to these two latter bodies constituencies might be certified, by their being incorporated by charter, or by some such machinery as that employed by the Society of Actuaries in England, or of Accountants in Edinburgh. I should also propose one Conservator for the City of Westminster, one for Lambeth, one for Southwark, one for Greenwich, one for the Tower Hamlets, one for Woolwich, one for Fulham, and one for Plumstead and Lewisham. Those are all connected with the Metropolitan Board of Works, and, therefore, you have already the whole machinery for a practical election of representatives by it. They might be either nominated by the Metropolitan Board of Works, or they might be elected at the same time, and be elected specifically for this Board. In the same way, the parishes abutting on the south side of the Thames, from Staines to the western limit of the territory of the Metropolitan Board of Works, might, perhaps, have two; there is a long stretch there. The parishes abutting on the north side of the Thames, from Staines to the western limits of the Metropolitan Board of Works, in the same way, two; then from Yantlet Creek to the eastern extremity of the Metropolitan Board of Works' territory, on the north side of the river, the waterside parishes might have two, and two members for the waterside parishes within the same boundaries; in the same way on the south side; there you have the machinery at present in existence for the election. You have by this scheme not the difficulty of creating a new system of election, or a new constituency, because you have it all by the same machinery that is suggested by the Board of Works.

5827. How many members would that Board consist of?—Thirty-one, I think.

5828. Mr. *Lindsay.*] How many representatives would you give to the dock companies?—One; these bodies have been selected as materials to form a Board, to some extent, because there is a workable method of electing them; you have all the machinery ready, and you do not require to create a new machinery for the purpose.

5829. Mr. *Cave.*] You give seven to the Metropolitan Board of Works, as I understand?—Seven; that would embrace Westminster, Woolwich, Greenwich, the Tower Hamlets, Fulham, Plumstead, and Lewisham.

5830. Mr. *Locke.*] Appointed by the Board of Works do you mean?—Either by that Board from those of its number returned by waterside parishes, or directly by the vestries of such parishes by the same machinery and at the same time as that employed in the election of members for that Board.

5831. Elected by the vestries then?—They are elected by the vestries.

5832. Do you propose, then, that these Conservators should be elected by the vestries?—There might be six members of the Board of Works.

5833. Do you mean that those six members of the Board of Works would necessarily know anything at all of the Conservancy of the Thames?—I am speaking of those parishes that abut on the banks of the Thames. It is not necessary that all the members should have a technical acquaintance with the details of navigation and harbour regulations; but that representing those interested in the management of the Conservancy they should have a control over executive and discretionary functions.

5834. Then you would restrict the Board of Works to elect those who come from the parishes abutting on the river?—Yes, on both sides.

5835. Mr. *Cave.*] That would give great power to the Board of Works on the river, would it not?—They might either be nominated by the Board of Works itself, or they might be nominated by the same machinery which at present exists for the election of members of the Board of Works. I own I regard it as an anomaly that the management of the whole property on the land of the metropolis should be entirely divorced from that of the water that runs through the middle of it.

5836. Mr. *Lindsay.*] Do you propose that the public should be admitted to all the meetings of the Board?—No, only in cases of appeal by persons aggrieved by the acts of its committees. At the same time I see no objection to entire publicity of all the proceedings.

5837. But do you propose that there should be an appeal from that Board?—I think that would be unnecessary; I think that a full representative body of the kind I have alluded to would have the confidence of the public. They are alarmed just now at the action of the Board; it seems to be entirely nominative, and they know nothing about it; indeed, to such an extent are they alarmed, that I have had several subscriptions to the Association from gentlemen who have told me that they could not allow their names to be seen, because they did not know what would come next, or how they might be affected by it. Others have withdrawn their names for the same reason, assuring us at the same time they are in entire sympathy with our proceedings.

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5838. Sir *John Hanmer.*] Do you think that in this case, as in all others, publicity is a good thing?—Publicity, or, at all events, the prospect of publicity. At one time the merchants of London were exceedingly dissatisfied with the working of the Board of Customs. I was the secretary of a very extensive association, embracing the whole of the first merchants of London, having for its object the reform of the Board of Customs; and one of the chief things that was advocated then was, that the Board of Customs should be an open Board in all cases where parties aggrieved should require publicity.

5839. Not always?—Not always; only in case it should be needed, in case the public asked for it, in the event of persons appealing, and desiring to be heard in open court.

5840. *Chairman.*] Do you mean that the Commissioners of Customs will, upon application, conduct their proceedings in open court?—Yes, in cases where exception is taken to their awards; and it has been found that the working of the Board since then has been excellent. I do not believe there could be a more perfect system than that which exists upon the Board of Customs just now; it has hardly ever been necessary to desire an open court.

5841. Sir *John Hanmer.*] Then, it is rather checked by the apprehension of publicity than by the actual fact?—Yes.

5842. Mr. *Cave.*] Has it ever been carried into effect?—I think there has scarcely been an instance of it.

5843. Mr. *Longfield.*] How many members does your association consist of?—I have not counted them; there are not a great many; perhaps about 40 or 50. But besides the Conservancy Committee, I represent the Association for protection of the Trade of the Port.

5844. What are they principally?—Steamboat proprietors, some merchants, wharfingers, owners of property on the banks of the river, livery and other companies having waterside premises, and others. When I say 40 or 50, I count public bodies and companies as only one respectively.

5845. Public-spirited individuals?—No; they have all personal grievances. They are alarmed lest by the operations of the Conservators other personal grievances may be inflicted upon them.

5846. They are apprehensive of it, are they?—Yes.

5847. Then none of them have detailed to you any personal grievance that has been inflicted on them?—Yes; I have mentioned one, that of Mr. Fennings; and I can mention another, at the Isle of Dogs. They took away from poor men their profits, which they had from the ferry, and transferred the advantage in the shape of a license for a pier to Mr. Cubitt, and that in the face of an indictment, and in the face of a verdict of a jury that it was a nuisance. There is another: Mr. Barry, at a great expense, along with other gentlemen applied for a new Bill for the Watermen's Company, to allow the navigation of barges by skilled persons, without the constant necessity of hiring those persons who were licensed by the Watermen's Company. That Act was passed authorising the navigation of barges where only one licensed waterman was employed; but the Conservators, by an *ex post facto* bye-law, practically repealed that Act of Parliament, which had just been passed, by insisting upon two being employed in place of one.

5848. Then the Watermen's Company complained that that was a grievance, did they?—No, Mr. Barry did.

5849. But Mr. Barry acted for the Watermen's Company, did not he?—No, he acted for himself; he is a large wharfinger, and he complained that, although the public law declared that one licensed waterman should be enough, this Conservancy Board instantly steps in and passes a bye-law of its own, which practically repeals an Act which has just been passed, insisting upon two licensed men being employed in place of one. If there had been a power of appeal that would never have been done; Mr. Barry would have appealed to the 31 conservators, and they would soon have overruled this; or, if they had not overruled it, it would be because everybody would have been satisfied that there was no proper grievance.

5850. Do you often go up and down the river?—No, I do not.

5851. Have you seen barges navigated by one man?—Yes; I saw one just now, from this window.

5852. Do you think it is of any inconvenience to the public that a barge should be navigated by one person?—The grievance complained of is, not that the bye-law requires more than one person, but that it, without the least necessity, requires two licensed persons. By requiring additional licenses the Conservators might ultimately charge for licenses, and thus add to the revenue out of which salaries are to be found.

5853. But you have seen barges navigated by one person, have you not?—I have.

5854. Are they very obedient to the helm, and tractable?—I do not think they are so; but the grievance of Mr. Barry was this, that he was not allowed to employ persons who were perfectly skilled for the purpose, but was compelled to employ persons only who were licensed by the Watermen's Company.

5855. He was compelled, in fact, to take the opinion of others instead of his own?—Yes, he was as to that which was nobody's business but his own.

5856. And the opinion of others in whom the public had more confidence than Mr. Barry?—I do not know, I do not find it so. I have often heard wharfingers complain that they cannot trust their property in the hands of licensed watermen, from the depredations of which they are very frequently convicted.

5857. Is not your objection precisely that which might be made to unlicensed physicians or doctors practising?—No; I may employ anybody I like as a doctor, the greatest quack in England. He is quite entitled to practise, only he must not pretend to be licensed when he has no diploma. Besides that, if he undertakes to do what he cannot, if he treats me unskilfully, I have a remedy by civil action and criminal process. I may employ any cabman I like. Although the lives of Her Majesty's subjects are in danger every day from reckless or unskilful driving, there is nothing but the self-interest of every individual that is considered necessary to protect him against the consequences.

5858. Is not a cabman licensed?—He is licensed, but he is not licensed for his skill.

5859. If he is negligent or unskilful, does not the magistrate, or whoever has the control, deprive him of his license?—No, they cannot do that for unskilfulness in driving; that is not an offence.

5860. Cannot they punish him?—They may punish

punish his master by civil action; they cannot punish the driver for mere unskilfulness.

5861. *Chairman.*] If he does any damage by unskilful driving, he is liable to be held responsible for that damage, is he not?—Not for mere incompetency. His master is liable for his default, and so is every employer for his hands, without having any license at all.

5862. Mr. *Longfield.*] But cabmen are licensed?—Yes; but they are not licensed for their skill in driving a horse; it is for the purpose of his being discovered if he should commit any offence against the police regulations; that is the purport of it. A man may have a cab and drive it to-morrow who does not know the head of a horse from the tail, and so it is with all the waggoners in London; not one of them is licensed.

5863. Do you think that pilots should be licensed?—I think that pilots who are skilled and submit to a professional examination, should have the benefit of a certificate of skill, so that the public not acquainted with the qualifications of competitors for its custom, may have materials for judgment in their choice. But if shipowners do not want that information, and know persons who have skill without being licensed, I think they ought to be allowed to employ them. I think the self-interest of individuals would be quite enough for the purpose.

5864. Then, in truth, you think that all examinations, as respects physicians, lawyers, pilots, or any other body, unnecessary in England?—No, not at all unnecessary, because it is a guarantee to the public, and stamps them with a certificate of skill, which it is very desirable the public should avail themselves of; but if the public do not choose to avail themselves of it, if they choose to be the judges of their own health, the security of their own property and their own rights, I think it is just as well that they should have the power of doing so.

5865. Is not that the very principle upon which watermen are licensed and required to be employed, that the public should have a guarantee?—No; because, if I do not choose to take the opinion of the Watermen's Company as to the skill of a waterman, or, if I choose, knowing the skill of a person whom I have employed for 20 or 30 years in the same business, knowing that he is perfectly skilful without having a license, to engage him, I am not allowed to employ him under this provision.

5866. Are you not aware that those provisions are more for the protection of the public than for the individual; that it is for the public interests that you are obliged to employ licensed watermen, and not for private interests?—I know that it is stated so by those who want to profit by a monopoly, but it is not the fact; because three-fourths of the watermen, at this moment, who navigate this great river (in what are called the north-country barges) have no license of any kind whatever, and they are far more skilful than those who have the license.

5867. Mr. *Ewart.*] Then, if I understand you right, you think that, in the present enlightened age, the principle of self-election is a bad one?—Decidedly bad; and even if it were good in itself, it is bad in this, that the public have no confidence in it; and it is the public that in all legislation is to be satisfied.

5868. I think you said that you would not admit the public to their deliberations at their general meetings?—I do not think it is necessary, except in cases of appeal, where there was a grievance.

5869. Do you know whether that has ever been tried in other ports where there are Conservancy Boards?—I believe the Conservancy Board of the Mersey is quite open, and, I fancy, very usefully so.

5870. Are their proceedings reported in the papers?—I believe they are, and with much advantage. At the same time, I can understand that there may be embarrassments, in the way of many private things which have to be discussed, which would render it not imperative, unless it be for the advantage of persons who are aggrieved, that the Court should be always open.

5871. Do you know whether the publication of the proceedings of the Mersey Conservancy Board gives general satisfaction to the parties interested?—I have heard, from gentlemen at Liverpool, that it gives great satisfaction.

5872. Amongst other members of the Board, you mentioned that you would have the Lord Mayor one?—Yes.

5873. Do not you think that the duties of the Lord Mayor are rather too onerous, during his term of office, to admit of his attendance; and do you not think it would be better to have one of the Aldermen (not the Lord Mayor), who might attend more regularly?—I must say I think that is a good suggestion.

5874. Mr. *Hankey.*] I understand that you represent, before this Committee, the interests of a large number of persons, who have a considerable stake in preserving the efficient navigation of the River Thames?—Yes.

5875. And they do not object to one public body managing the Conservancy of the Thames, as I understand you?—Quite the reverse: they think that the conflict of jurisdiction which has existed between the Watermen's Company and the Trinity House, and all these other jurisdictions, is an anomaly which it is desirable to get rid of.

5876. They think that the former system is a bad one?—They do.

5877. And that it is desirable to consolidate the existing authorities, and to form them under one Board having the general management of the River Thames?—Yes.

5878. You object, as I understand, to the present Conservancy Board, that it has not a sufficient popular element to make the members of it sufficiently amenable to public opinion?—Yes.

5879. And you think that might be done by introducing some more popular element in the mode of electing their members?—Yes.

5880. You are not, perhaps, particularly wedded to the scheme that you have laid down, but you have rather thrown it out as a general idea of some mode by which that more popular element might be introduced: is that so?—Yes.

5881. Do you think that having so many members from the Court of Common Council, or the City of London, is desirable?—I do not think it is desirable to have so many members of the Corporation as there are at present on the Board.

5882. You are, of course, aware that the Corporation of London at present have the majority of voices on that Board?—Yes, seven out of twelve.

5883. Do you think that that is desirable?—I think it is not.

5884. You think it is very desirable that some representatives

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representatives of the shipping interests, and also of the commercial interests, should be at that Board?—Yes, certainly.

5885. When you allude to the election of members from the counties adjacent to the Thames, do you think they would have sufficient interest in the good management of the Thames to elect a representative to send to such a Board as this?—I do not propose the counties; what I propose is that each of the metropolitan boroughs which abut on the Thames should (as you have a machinery for the election already cut-and-dried in the Metropolitan Board of Works, and as it is nothing but fair that the metropolitan boroughs should be represented as well as the City of London) that they each should have members at the Board, and also, as it were to cover the whole territory, and watch over the upstream fishings, that from Staines down to the westernmost boundary of the Metropolitan Board of Works there should be one or two representatives, and also from the lower part of the boundary of the Metropolitan Board of Works down to Yantlet Creek.

5886. How would you make that representation amenable to public opinion more than they are now. You would not elect them for life, would you?—No, I would elect them annually, nominally annually.

5887. Perhaps for three years, or a certain length of time?—If you had the election nominally annually, you would have this result: unless there was some radical objection to the member, the same man would be generally returned again.

5888. You would probably only have a certain number of the Board elected at a time, so as to preserve the uniform action of the Board as far as you could?—That might be; I do not think it is very essential. I think you would find, when you had 31 members, that the casualties of retirement, non-elections by omission, and so on, would be enough for the purpose of change, without any provision as to a certain duration.

5889. Do you think that by introducing a more popular element into a Conservancy Board of this nature, that the public would have sufficient confidence in it, and that the business generally would be well managed?—Yes; and my reason for it is, that I have spoken with gentlemen who have watched similar cases, and they find that it is to the satisfaction of the public. For instance, in the Tay, the Mersey, and the Clyde, these representative bodies work well; whereas upon the Tyne, where it is entirely a corporation body and not elected, the Chamber of Commerce there have sent me very detailed complaints of their operations, and the merchants of the port of Bristol complain of the same grievance, and are promoting a Bill to enforce representation for the Severn.

5890. Then, perhaps, you would think it desirable that the whole body should once assemble together as a Board of Appeal?—Yes, I think that all that is necessary for the full Board to do, is to review the acts of its Committees, and dispose of all appeals from their decisions.

5891. And that they should be divided into committees for the purposes of the ordinary work?—Yes; they would find that out themselves. In a body like this, if they understand their business, their officers ought to do the greater share of the real business, if they have persons who are fit for their posts.

5892. When a body was so constituted, do you think that there would be any objection to whatever was a reasonable tax upon the shipping of London to pay the expenses of it?—I think not.

5893. Mr. *Ewart.*] But if they were elected for life, they would not be so amenable to public opinion?—No; and therefore I thought that they should be elected annually.

5894. You would have a certain number to go out every year?—One-third of the members go out every year in the Metropolitan Board of Works. I do not see much objection to that, but I do not think it necessary if you have annual election; for, after all, what the public want is responsibility to themselves. They are alarmed at the present system; they see a number of persons nominated who are responsible to no person whatever; they think that they have done things which are riding upon the top of their commission, and that they certainly threatened more by the Bill they introduced this Session of Parliament; they require a control, even if the public thought that everything that was done had been right; they are afraid of such enormous powers, because they are enormous, in irresponsible hands. No person can examine the Act without seeing that the discretionary and legislative powers are extremely great, and the opportunities for jobbing very many; in point of fact, as the Government is to be responsible to the House of Commons, so the executive, in such a case as this, ought to have persons to control them who are entirely independent.

5895. Mr. *Hankey.*] Would you have the Board paid?—Boards that are not paid really work just as well as those that are; here are gentlemen who have been here for two days every week for months past, and when they leave this Committee-room they go to the House of Commons, and they do not get a farthing for it.

5896. Can you instance any other public body that has worked efficiently as an unpaid body, except the House of Commons?—There is the Metropolitan Board of Works.

5897. The Chairman of the Board of Works is paid, I believe, is he not?—He is. Every municipal corporation, every vestry, including its overseers, churchwardens, and road surveyors, the trustees of great public institutions, all work for the honour of the choice of themselves by their fellow-citizens.

5898. Would you not have a paid Chairman to this Conservancy Board?—I should not have the least objection that the officers should be well and handsomely paid; because I know that on every properly constituted Board, where you have responsibilities such as there are to the House of Commons by Government, competent officers ought to do nine-tenths of the whole business as the paid Government does for the great national Boards of Parliament.

5899. But do you think that it is reasonable to expect that gentlemen who are actively engaged in business, would devote a sufficient time to such a work as this, without the ordinary remuneration which is given to directors of public companies?—Really, I think they would; indeed, I must say I find greater zeal in public bodies that are not paid than those that are paid.

5900. Mr. *Ewart.*] Do you know whether the Mersey Conservancy Board is paid?—It is not paid.

5901. Do you know whether the members of that Board attend regularly?—I believe they do; and I think that where the small pay that could be offered here was an object to any individual, you might depend upon it he was not a proper person to send to the Board.

5902. Mr. *Locke.*] You have stated that you represent the merchants, the shipowners, the wharfingers, the lightermen, and others who are interested in the management of the Conservancy Board of London?—Yes.

5903. Have you individually come in contact with the Conservators of the Thames?—On one occasion I made an application to the Conservators with reference to the pier on the other side of the river.

5904. Do you mean at Fennings' Wharf?—Yes; the Association for promoting the interests of the trade of the port directed me to address them as to an obstruction in the river.

5905. Was that the only occasion upon which you individually came into contact with them?—That was the only occasion upon which I had personally any communication with them. The Board refused to receive a deputation from the Watermen's Company, and required any statement they had to make to be sent in writing. They refused to admit Mr. Fenning's solicitor to an interview, and after a long delay they gave me for answer that when anything was to be done they would communicate with parties having an interest.

5906. Have you seen the return which I moved for?—Yes, I have.

5907. The first return asked for was the particulars of all the grants of accommodation on the banks of the Thames since the passing of the Act of 1857, the parties to whom they were made, the payments, annual or otherwise, the number of square feet of projections into the river beyond Mr. Walker's Line, as laid down in the Report of 1841, in conformity with the suggestions of the Lords of the Admiralty. Have you looked at the return which has been made with reference to that first statement of particulars?—Yes, I have.

5908. Is that return fully made?—It appears that the projection beyond Walker's Line, according to this return, is 2,004 feet into the river, embracing an area of 46,417 square feet.

5909. Mr. *Longfield.*] In the aggregate, you mean?—Yes.

5910. At different points?—Yes.

5911. Mr. *Locke.*] In those different points it amounts altogether to how much?—46,417 square feet; that is all that appears to be stated in the return.

5912. The Conservators have made other grants which do not not come out to Walker's Line, I believe?—Yes.

5913. With reference to all those other grants not coming out so far as Walker's Line, have they given the length and number of square feet of projections into the river?—No.

5914. They have confined the return merely to those projections which are beyond Walker's Line, but they have not given the extent of the projections from the shore which are within it?—No; but I do not see that that is required by the return (*referring to it*). That particular of the grants is not made, assuming that that is a particular which ought to have been returned; I see it is only made with reference to the deviations from Walker's Line.

5915. It may perhaps, from the reading of that, be questionable whether the return asked for does extend to the number of square feet and projections into the river within Walker's Line, and it does not give it?—It does not.

5916. The words are, "And the length and number of square feet and projections into the river beyond Mr. James Walker's Line"?—Yes.

5917. Therefore we have not got the amount of the projections into the river within that line?—No.

5918. But the number is very great, is it not?—Very great; it is upwards of 800,000 feet.

5919. They have made grants within the line to that extent, have they?—Yes, within that line.

5920. Has your attention been called to any of those grants?—No; I am principally here to express the opinion upon the general subject of the representation. I may mention, for instance, that there was a bill introduced into Parliament with reference to some of the bridges which did not seem to be within the proper province of the Conservators. There was the case of Fulham Bridge this very year; it was proposed that it should be lawful for the Conservators, their servants and agents, to reconstruct Fulham Bridge; the proprietors or owners of the bridge have applied for compensation: the Conservators seem disposed to undertake that, from what I see here.

5921. To undertake what?—The erection of a new bridge at Fulham; there is power to set out bridge approaches, power to deviate from plans and levels, and so on.

5922. Mr. *Lindsay.*] Might it not have been the case that the Conservators thought that the bridge materially interfered with the navigation of the river?—It is very likely; I instance that simply to show what enormous powers these Conservators are proposing to exercise, and therefore how necessary it is to enforce accountability.

5923. Mr. *Locke.*] Is that a proposal for an Act of Parliament to which you are referring?—Yes.

5924. They have not that power at the present moment?—No; it is a Bill asking for that power.

5925. Do you think, if they were a large body properly elected, that these powers might be confided to them?—I think so.

5926. But you do not think that those powers ought to be confided to the present Board?—I think not.

5927. Inasmuch as the members of that Board have not the confidence of the public?—They have not.

5928. Do you think they deserve the confidence of the public from their acts?—I do not think so.

5929. Mr. *Lindsay.*] What objection had you, on the part of those gentlemen whom you represent, to the Bill introduced this Session, and which was afterwards withdrawn?—Take the first clause, which defines a bumboat to mean "any kind of vessel used for the purpose of bartering on the river," and they proposed to require that they should all be licensed. That was a description, as far as we could see, that would take in any vessel that came into the river.

5930. Was there any other objection?—The 8th clause provides that, notwithstanding the Act of the Watermen's Company required all vessels to be registered in their books (that was not enough), they must also be registered in the books of the Conservators. By Clause 9 they must have the license of the Conservators, although they are

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registered by the Watermen's Company. Clause 10 draws the usual Corporation corollary, a tax of 2*s.* 6*d.* a-year on each vessel, and 1*s.* for every change of residence of the owner. Clause 11 enacts a penalty upon conviction of misdemeanour, operating as a permanent forfeiture of the right to be licensed. Clause 2 provides that the innocent owner of any vessel from which rubbish or refuse is thrown into the river shall be fined 20*l.*, no matter whether the act be done without his knowledge, or even against his express injunctions, or if it be in possession of another person who has hired it of the proprietor. Clause 3 asks that any person within three miles of any part of the river, measuring in a straight line, who shall cause any offensive matter to flow into the Thames shall forfeit 20*l.*, without the least reference to existing interests, settled rights, or local jurisdictions. Clauses 5, 6 and 7 provide that whenever a vessel, after it has been registered and licensed, is applied to the purpose of carrying ballast or rubbish, it must be registered again; and that vessels for such purpose shall pay a tax of 2*s.* 6*d.* annually, and 2*s.* 6*d.* for the registration of any alteration in the place of abode of the owner, in addition to the other registration fees. Those clauses would give power to tax nearly every vessel coming from Guernsey, Aberdeen, or other places to London with stone or gravel, and the owner of every such vessel; and actually prohibit the future use of the vessel, if rubbish or refuse is thrown into the river by a servant of the owner, perhaps in defiance of his express instructions, or by some person engaging it on hire professedly for quite another purpose; upon the same principle as if the Home Office were to make the Conveyance Company liable for any robbery committed in an omnibus.

5931. You object to all this?—I object to all this, and many other things.

5932. There is no doubt whatever that the Conservators of the River thought it was necessary that they should be vested with these powers for the benefit of the public: is not that so?—Yes.

5933. Would you give such powers as those to a Board constituted as you propose the Board should be constituted?—I think there are some powers asked for here that no Board should have at all; they are gross innovations.

5934. Will you specify what those powers are which you think no Board ought to have?—For instance, there is the definition of a bumboat, which would almost require that every ship should be registered in the books of the Conservancy. It appears to me that it is a definition so high, that it would embrace almost every ship that comes into the river. Again, the Act of 1857 gave the Conservators a virtual monopoly of the landing stages on the river. This bill takes power to tax steamboats to an amount equivalent to 25 per cent. on the gross earnings of what are called halfpenny boats, and no higher toll on those charging fourpence, which would give a power to the Conservators to dictate the passenger trade of the river. The bill proposed also to take power to tax all vessels using moorings, although an express Act of Parliament declares all moorings free, for ever; and paid 130,000*l.* to Lord Gwydir out of the Consolidated Fund for the privilege. The 25th clause provides that every vessel may be seized and sold to pay the penalties and costs of any person in charge of it, without notice to the owner, who may be in Ireland, Scotland, the Colonies, or in foreign countries, and utterly unconscious either of the offence or the confiscation, until his property had found its way into strange hands by the power of the proposed Act.

5935. But is it not the fact that the definition of a bumboat is well understood?—The definition that is given in the proposed Bill of what a bumboat may be, is "every kind of vessel used for the purpose of bartering or exchanging, with persons employed on or about the river, goods or articles of any description whatever"; so that if one ship was going in, or one ship was going out, and they were to hand over from one to the other a part of the provisions which they did not wish to use, that would constitute the vessel a bumboat, according to this definition.

5936. With that exception, would you give all the other powers sought for in that Bill to the new Conservancy Board?—The persons whom I represent object to their getting any powers which the Conservators did not possess before the passing of this Act; they say that it is a gross invasion of private right.

5937. Then, in fact, the parties whom you represent would not be disposed even to give to the new Board any greater powers than the Conservancy Board at present possess?—No.

5938. I think you have stated that you did not think it advisable that the members of the Board should receive any remuneration?—I do not see that it will serve any good purpose.

5939. And you give as a reason for that, that the members of the Conservancy Board of the Mersey receive no remuneration?—Yes.

5940. Is it, or not, the case that a Government member is appointed to the Mersey Conservancy Board?—I am not aware.

5941. You do not know it to be a fact that there is a member appointed by the Government to that Board?—I believe there is, but it is only from hearsay.

5942. And that he is remunerated?—I do not understand so.

5943. Have the parties you represent ever considered the question of ballastage; or are they satisfied with the present mode in which ballast is supplied to ships?—They have not entered upon that question.

5944. *Chairman.*] Are you acquainted with some resolutions which the Coal Trade of London came to, in the year 1860, relative to discharging colliers in the river?—No.

5945. Did you ever hear that they came to this resolution: "That the Conservators of the Thames have manifested, upon this as upon all occasions, the utmost readiness to promote the public interests of the trade"?—No, I am not aware of that. I may mention that the establishment of the derrick is very much complained of; it is supposed that the Conservators have no right whatever to erect it in the free way of a navigable river.

5946. When you say it is supposed the Conservators have no right, do you mean to say that it is illegal?—That it is illegal; we say that the Crown itself has no right whatever to erect on any public highway, either on land or at sea, an obstruction of that kind.

5947. Mr. *Lindsay.*] But the Conservators of the river did not erect it, did they?—Yes.

5948. Sir *John Hanmer.*] How do you make out it is an obstruction?—Because it is in the waterway of the river.

5949. It is in the bend of the river, is it not?—It is

—It is where the river flows; and what we say is this, that upon the same principle of right by which the Conservators did that, they might just as well place a fixed or floating stage opposite the mouth of the river, if they have the power and right to appropriate the highway of the country in that way for gain; for they make a return of 600*l.* a year by it.

5950. Mr. *Locke.*] If anything is placed permanently in the river which prevents the same free use of the river which would exist if it were not placed there, that would be a nuisance, would it not?—No doubt it would; every one of the 30 millions of the people have his or her own right to every inch of the river, and it is not for the convenience only of the inhabitants of London; it is for the whole nation.

5951. The ground upon which the Conservators undertook to do this was under the Act of Parliament, I suppose?—Yes.

5952. That gave them the right to create what would be considered a nuisance if any private individual were to do it?—No. Vice Chancellor Wood distinctly decided that every projection into or erection on the soil and bed of the river within high water mark was *ipso facto*, an indictable nuisance, which any British subject might have abated. But he held that, for piers for landing steamboat passengers, for jetties and wharves on the banks of the river, an exceptional power of license or use was given to the Conservators. But the derrick was not within the limits of that power.

5953. Mr. *Lindsay.*] The Conservators have the power to grant moorings, have they not?—Yes.

5954. And to make a charge for the use of them?—Yes; but every person is entitled to the use of this derrick if it were for the use of the public; while in reality it is let to a private individual in this case for the purpose of creating a rent; it is evidently there for another purpose than the absolute convenience of the whole public, and so strongly is the right in the whole public to the whole tideway of the river carried out, that it is maintained that any person may take his ship to any wharf and lie alongside of that wharf without paying anything, subject, of course, to the Harbour Master's regulations.

5955. Suppose it was clearly proved that the placing of the derrick there relieved the pool to the extent of 30 vessels, and consequently cleared many obstructions which were in the pool caused by those vessels, do not you think that the Conservators were conferring a boon upon the public instead of an injury, by the mooring of the derrick there?—I do not say that they were injuring the public, I say it is an invasion of the public right, which every person has in the river, to put down a permanent building of that kind in the middle of it.

5956. It is not a permanent thing, it is a ship, is it not?—She is not removed.

5957. But she could be removed, in the same way as any other vessel, could she not?—Yes; but she is not removed; she is actually let on lease to a private individual.

5958. Sir *John Hanmer.*] If the Conservators were to take the derrick, or authorise it to be taken, and place it in the waterway, where it really would interfere with the navigation of the river, might not the Conservators in the Court of Queen's Bench?—Yes.

5959. But at the present moment because the derrick does no harm whatever, but does a great deal of good, they have a perfect defence to any complaint against them, have they not?—No; because the defence would not be a good one; public utility is no defence against the taking of that which belongs to the whole nation; the river Thames does not belong to the City of London, it belongs to the whole nation.

5960. Mr. *Longfield.*] The whole question is, whether it is authorised under the Act?—It is not authorised under the Act.

5961. Mr. *Locke.*] Do you consider there is any appeal?—None at all; I hold that the Act of Parliament gives them no authority or right to do it.

5962. Not to put the derrick there?—Not the least.

5963. You consider that they did it without the Act of Parliament?—Yes.

5964. Consequently the derrick has no business to be there?—None whatever: and if it has, the Conservators might go and let the whole of the Thames just upon the same principle. How can they appropriate one part, and not another? The tideway goes to it; it is a solid ground; the water goes around it, and how can you say they are entitled to do it at one part, and not to another.

5965. With regard to piers, they clearly have a right to place them; this would be a nuisance if it were not in the Act of Parliament?—Yes.

5966. Do I understand you to draw a distinction between the derrick and a pier?—Yes; power to erect or license piers or landing-stages for steamboat passengers on the banks of the river is given by the Act, but none is given to make a wooden island in the stream to land goods.

5967. With regard to the pier, it is quite clear from the Act of Parliament, is it not, that the Conservators have a right to put it?—Certainly, the Act of Parliament gives them that power.

5968. You do not, as I understand you, find any authority in the Act of Parliament, for placing the derrick there?—No.

5969. Although they have authority to put the pier?—Yes.

5970. With regard to the clause which you object to, will you just turn to the 65th clause in the Bill which was introduced by the Conservators of the river. Is that one of the clauses to which those who instruct you object?—The last clause, "should the person in charge of 'any vessel' be taken into custody, the 'river keeper' of the Conservators may take charge of the vessel, detain it for payment of any penalty or forfeiture which the person in charge may have incurred, and of the expenses of having taken charge of the vessel, and may, without notice to the owner, sell the ship in reimbursement of the amount." That is perfectly monstrous, of course. That was just one of the things that alarmed the public. If I hire my vessel to another individual, and that individual commits an offence, my vessel, without my knowledge, may be seized by the Conservators, and confiscated.

5971. Mr. *Lindsay.*] You thought the power unusual and unreasonable?—Yes, it would not have been asked for by a body of real shipowners. If the shipowners had been represented at the Board, they would never have allowed such a body as this to possess any such power, and the absurdity of the thing is, that the Conservators themselves appeared, opposing their own

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Bill. The Lord Mayor and the Corporation, who were Conservators, appeared as the opponents of the very Bill that was said to originate with themselves. That is what Captain Sulivan calls an "harmonious" Board.

5972. Mr. *Locke.*] Did they oppose it on the ground that they had not agreed to it?—That they had not agreed to it. I may add that we do not see in the Conservancy Act any power to go to Parliament to ask for more power, and to spend the Conservancy fund on Parliamentary expenses.

Mr. JONATHAN THORP called in, and examined.

Mr. *J. Thorp.*

5973. *Chairman.*] YOU are, I believe, chairman of the Board of Conservancy in the absence of the Lord Mayor?—I act as the chairman, in the absence of the Lord Mayor.

5974. Were you chairman of the Thames Conservancy Committee when the Conservancy was in the hands of the Corporation of London?—I was a member of that committee, and I was chairman of that committee for the year in which the Thames Conservancy Act passed.

5975. Were you one of the gentlemen who negotiated with the Government the terms upon which the City transferred its rights to the Crown?—I was one of the committee of the Corporation who arranged the terms, or agreed to the terms for a settlement of the suit that was pending between the Corporation of London and the Crown, as to the bed and shore of the river.

5976. Will you be so kind as to explain to the committee, what was the result of that negotiation, and what was decided with reference to the legislation on that occasion?—The agreement was recited *verbatim* in the preamble of the Conservancy Act. It was considered that it was desirable to have the sanction of Parliament to that agreement, although it was an agreement that was final between the Crown and the Corporation of London. It was also considered by the Corporation and by the Crown that the Conservators of the river Thames should have more extensive powers for the improvement of the navigation, and for affording additional accommodation to the public. It was considered that that would be a fitting time to apply to Parliament for such other and more extensive powers. A difference of opinion existed as to the constitution of the then Conservancy Board. The Corporation was satisfied with its members as Conservators, but the Crown thought that there should be some alteration, that the navigation of the Thames was of national importance, that if Parliament sanctioned the agreement between the Crown and the Corporation, and if Parliament sanctioned giving other and more extensive powers to the Conservators, the Conservancy Board should be altered. It was then considered how this Board should be altered, and it was ultimately agreed, as between the Government and the Corporation, the late Sir George Cornewall Lewis, who was then Chancellor of the Exchequer representing the Government, and Mr. Stuart Wortley, the recorder, acting for the Corporation, that the Conservancy Board should be constituted pretty much as it was in the Act of 1857, that is, that the Lord Mayor should be one, the deputy master of the Trinity House another, two aldermen, four commoners, two representatives for the Admiralty, one for the Board of Trade, and one Elder Brother of the Trinity House.

5977. In your opinion, has this Board worked well?—I say unhesitatingly that no Board could have worked better. There has hardly ever been a division at the Board, and I am quite sure that those who represent the Government are prepared to justify every act and every decision of the Board. There has never been a case in which the Government members have been of one opinion, and the Corporation members of another.

5978. Mr. *Lindsay.*] You say that the Board has worked well; I understand you by that to mean, that so far as regards the harmonious working of the Conservators themselves, everything has gone on smoothly?—Yes.

5979. But do you mean by that, that the Board has worked well so far as the public is concerned?—I do.

5980. Then have you had no complaints from the public?—Hardly any, except from parties with whom we have come into collision in the erection of piers.

5981. But you have had complaints?—Only from those parties, not from the public; we have not had complaints from the public as to the working of the Conservancy Board.

5982. *Chairman.*] Various complaints have been addressed to this Committee, as to the working of the Boards. First of all, I find upon my notes that witnesses have complained of a want of courtesy in the dealings of the Conservancy Board; are you at all cognizant of that fact?—I am quite sure that the Conservancy Board have endeavoured to treat all parties courteously. I am not aware of any want of courtesy on the part of any member of the Board. Of course different members have different manners; some may be a little more blunt in their manners than others; but I say that no set of gentlemen could have behaved with more courtesy than they have towards those with whom they have had interviews.

5983. Do you think that the Board has always acted in an accommodating spirit towards the public?—Certainly.

5984. Then there are objections to the Board upon the score of personal incompetency, arising from a want of knowledge on the part of the members of the Board; what do you say as to that?—The Admiralty, as the Committee are aware, nominate two members. The first two members who were nominated by the Admiralty were Admiral Austin, who is now at Malta, and Admiral Shepherd, who was then Captain Shepherd, the Commodore Superintendent of Woolwich Dockyard; two more able men, I believe, the Admiralty could not have sent. They could not have put their hands upon better informed or more competent members. From the Trinity House we had the deputy-master and one of the members of the Board, who have been most efficient. The Board of Trade nominated Captain Sulivan, and I am sure that no Board ever had upon it a more efficient member, or a man more anxious to do his duty, or more able to do that duty. With regard to the City members, we have had different lord mayors, two aldermen,

Alderman

Alderman Humphery and Alderman Hale, two excellent men of business, and of good, plain common sense, possessing a thorough knowledge of the metropolis and the river. We have had four common councilmen, and I will say, with one exception, for I suppose I may be permitted to exclude myself, that three better men of business could not be found in the City of London, men of good general information, and these men have all regularly attended to their duties.

5985. Mr. *Longfield.*] What are the particular lines of business of the two aldermen; is one an oil merchant and the other a tallow chandler? —Alderman Humphery is a wharfinger, Alderman Hale is largely engaged in the manufacture of candles and soap; Mr. Turnley, one of our members, was a lighterman, but is out of business, and has been for some years; Mr. Fry is a sugar broker, he is a gentleman very much respected in the city, a man of good sense, and general business habits; Mr. Rathbone is a corn-merchant and lighterman on the banks of the river, and is also a good sensible man of business.

5986. *Chairman.*] And all these gentlemen, you say, have attended to their business with assiduity?—Very regularly and very fairly.

5987. And you think that they are perfectly qualified, from their knowledge of the interests of the river, to perform the duties committed to their care?—No doubt; most of the members who have been elected (for the City elect their members) were upon the Navigation Committee, and while they were upon the Navigation Committee they had learned the duties of the Conservancy; some of them had been upon that committee for many years, and there, I take leave to say, upon such boards as the Board of Conservancy, the information which is required for the proper conduct of the Conservancy is to be acquired; it is only there. It is not in ordinary business habits that a man, whether he be a shipowner or a merchant, or a bargeowner, will acquire the knowledge that will make him a good conservator; he will have to learn it at the Conservancy Board.

5988. Supposing the time should come when there were no longer members of the Corporation who had gone through this preparatory training, what would be the result then?—I apprehend that the members would not all leave at once, but one new member would come at a time, and that he would learn his business, as business is ordinarily learned, from his colleagues, and he would by degrees become qualified.

5989. By serving on the Conservancy Board, you mean?—Yes.

5990. Could they not obtain this information elsewhere than on the Conservancy Board?—To some extent, but not to a great extent.

5991. In discharging their duties as members of the Corporation of London, for instance?—No, not as members of the Corporation of London.

5992. Then there is not in the Corporation of London any means by which they could qualify themselves for the performance of these duties? —Not now.

5993. Then when the members of the old Navigation Committee have ceased, from any cause, upon the Conservancy Board, there might be a difficulty in finding proper substitutes for them?—At first the parties would be inefficient, no doubt; they must qualify, they must learn at the Board.

5994. There have been a good many complaints of the conduct of the Conservancy Board, in stopping the inshore passage along the various wharves on the river?—One of the duties, if I may so say, which was imposed upon the Conservators by the Act of 1857, was the construction of piers and landing-places, of such form, and so placed, as would be most convenient to the public, and offer the least obstruction to the navigation of the river. That was one of the most important and, certainly, one of the most difficult duties that the Conservators had to carry out. The Thames, I need not inform this Committee, is the Queen's highway, and it would be of little value if the public had not access to it; but the public have access to it; there are many approaches from both sides of the river, public approaches to the Thames: and at those approaches were placed stairs, which were convenient enough when the passenger traffic of the river was carried on in small boats; but upon the introduction of steam-vessels, the character of the passenger traffic was entirely changed. The Conservators, having the duty of providing piers for the accommodation of the steamboat passengers, considered whether they could not so adapt those public landing-places as to be convenient for the steamboat traffic. We, as I believe the Committee have seen, have extended those approaches, and have placed piers, which we think will be convenient for the traffic, convenient for the public; so that we have arranged that the public shall have access to the river by their own public approaches, and over the public piers. A large portion of the traffic was carried on, previously, over private wharves; barges were placed alongside those private wharves, and the public had to pay toll for passing over those private wharves upon landing and embarking from and to the steamboats. The Conservators thought it their duty no longer to compel the public to pass over private property as an approach to the public highway, but to give the public the benefit or use of the public approaches. That has been generally our object in placing piers at the public stairs. Those public stairs and approaches were hardly necessary for the small-boat traffic; that small-boat traffic has almost ceased upon the river above bridge. We have placed the piers for the public, and we have left sufficient accommodation for the small-boat traffic upon the river, or as much accommodation as, in our judgment, can be required by the small boats and barges. We have given the public the full benefit of their approaches, and we have given the steamboat traffic all the accommodation we could, reserving as much as we thought ample and necessary for the small-boat and barge traffic.

5995. Are you acquainted with no instance in which the arrangements of the Conservators have obstructed this inshore passage?—No; there has been no complaint of anything of the kind from the public.

5996. Take the case of Hartley's Wharf as an instance where there has been an obstruction?—There is a jetty or landing-stage, for the purpose of landing cattle from the steamers. It is no obstruction; there is a waterway under the jetty. There was an obstruction before the jetty was placed there, for barges were moored in front of Hartley's Wharf, which entirely obstructed the inshore navigation. It was suggested that these parties might have greater facilities for landing from the steamers

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without obstructing the navigation; and it was considered that a jetty, or stage upon piles, might be placed opposite Hartley's Wharf, under which the navigation might pass freely. The navigation does pass freely; they have all the advantage of the jetty, and the public suffer no inconvenience.

5997. Then, so far from having created any obstruction to the inshore passage before Hartley's Wharf, the Conservators have removed the obstruction which formerly existed?—Yes, the jetty is a great accommodation to Messrs. Hartley; it is a great convenience to the trade, and offers little obstruction to the navigation.

5998. Sir *John Hanmer.*] Is that the place where we have heard that cattle were formerly suffocated in the course of their transit?—Yes, whilst they were waiting to be slung into lighters, for conveyance to the wharf.

5999. *Chairman.*] You probably heard the evidence that was given this morning relative to the stones, under one of the arches of London Bridge, which caused the sinking of the "Sybil"?—Yes.

6000. Will you explain how it was that such an obstruction was left by the Conservators in the great waterway of the river?—At low tides just to the eastward of London Bridge there is little water. On the south side, and to the eastward, of the present London Bridge, are some of the remains of Old London Bridge, all was taken away that could be taken away; but still the river there is not so deep as the Conservators could desire, and it is almost impossible to dredge it. But with regard to the stones which are spoken of, the report of our engineer was to this effect, that the stones had been thrown into the river to strengthen the foundations of the present bridge, and that by some accident they had been misplaced; that is, they were dragged by some occurrence from near the pier of the bridge lower down the river. It is impossible to account for the displacement of the stones, or for their position. The current itself, under the bridge, is sometimes exceedingly strong, although it may perhaps be said it is not strong enough to remove a stone; but a vessel throwing out a kedge in so strong a stream might remove a stone, and drag it further down the river. The moment we heard of it, we gave directions that the stone should be removed, and it has been removed. We first communicated with the Bridge House Committee. We are, of course, and always have been, careful on this subject, and have hesitated to touch the bed of the river near the piers of the bridges; those who have the charge of bridges are exceedingly careful that the foundations are not in any way interfered with. We informed the Bridge House Estates Committee of the Corporation that the stones were there, and that we should be glad if they would remove them; the Committee replied that they declined to remove them. We then gave instructions to our engineer to remove all stones near the Bridge likely to be dangerous to the navigation.

6001. Mr. *Locke.*] Why did the Bridge House Committee decline to remove them?—They did not say why; they merely said that they declined to remove them.

6002. You are aware there are very heavy complaints against you on account of your operations at Old Swan Stairs; it is said you have injured to a very considerable degree the property of the wharfingers in that district?—I believe we have not injured the property of the wharfingers at all; we have diverted the steamboat passenger traffic, which passed over the Fishmongers' and Mr. Thornton's wharves; that is now diverted to the public stairs at Old Swan: to that extent they have lost, but that was a change which they might reasonably have expected.

6003. Mr. *Longfield.*] And by which the public have gained?—Yes; and to which the public are entitled.

6004. Sir *John Hanmer.*] Did you not, in the first instance, offer to them to do the very thing that you have done yourselves?—The Fishmongers' Company applied to us to permit them to place a pier opposite their wharf. The Conservators considered it, and, after having some interviews with them, they decided that they would permit the Fishmongers' Company to place a pier on certain conditions. Time passed on; the Fishmongers' Company took no steps to place the pier. We then wrote to them, and asked them if they intended to proceed with the pier, because we considered the public required the convenience of a very different and much more improved accommodation than they received on the upper side of London Bridge. The Fishmongers' Company stated that they were not in a condition to go on with the pier; that they could not, in fact, arrange with some tenant of theirs who had a short lease of the pier; and they suggested that we should wait until the question of the embankment of the Thames was settled. It so happened that there was no proposal to embank that part of the Thames; ultimately, they confessed that they could not agree with their neighbours, and that they were not in a condition to construct the pier. We then gave the usual notices, and proceeded to construct the pier on the north side of London Bridge.

6005. Then there was a private party, Mr. Thornton; did you give him the option of constructing the pier himself?—Mr. Thornton never applied for permission to place a pier there.

6006. *Chairman.*] You were a member of the former Navigation Committee, we understand?—Yes.

6007. Could you, by the authority that was vested in you by Parliament at that time, have caused the removal of these piers in the same way that you have recently done under the new Act?—Could the members of the Navigation Committee have caused the removal of the piers, do you mean?

6008. Could you have done the same thing previous to the passing of the Conservancy Act?—I believe that previously to the passing of the Conservancy Act, the Conservators had not power to place a pier there.

6009. But did they grant permission to other parties to place a pier there?—I think not.

6010. Nor to place the dummy, the landing accommodation that existed?—I think not.

6011. Mr. *Locke.*] Nor could you remove one yourselves?—I believe the Lord Mayor had power, as Conservator of the Thames, to remove an obstruction if called upon to do so.

6012. Was not that very question raised by a former Lord Mayor, Mr. Alderman Johnson? Was not a case submitted, at his instigation, to all the City officers, in order to have their opinion as to whether or not the Lord Mayor, as Conservator of the Thames, had the power to remove these

these piers?—I am not aware that any such case was submitted to the City officers.

6013. Was not that submitted to all the City officers by the Court of Common Council?—I am not aware of it.

6014. And was not the Lord Mayor advised that he could not do it as Conservator of the Thames, and that the only mode of doing it was by an indictment in the Court of Queen's Bench?—I am not aware of it; I have heard that some of the authorities went to remove it.

6015. The question was, whether the Lord Mayor, as Conservator of the Thames, had the power to tell persons to go down and remove a pier, and if an action was brought against them for that act, whether it would be sufficient for him to plead that he did it as the Conservator of the Thames; and was not the advice given to him, that he had better not adopt any such course?—I am not aware of it.

6016. *Chairman.*] Was it not understood that the parties who put out this pier opposite the Fishmongers' Company's premises had exercised the right to do so during the pleasure of the Corporation of London?—The Corporation of London gave them permission to drive piles; no further permission was given by the Corporation; but without their permission parties placed dummies, and the Corporation did not remove those dummies: that was the case.

6017. Mr. *Longfield.*] Whatever they did, they did under colour of the permission of the Corporation, I suppose?—They had no permission to place dummies.

6018. The first step they took was under the permission of the Corporation, was it not?—Yes, they had the permission of the Corporation to drive piles.

6019. Then, in fact, they got an inch and took an ell?—Yes.

6020. Mr. Alderman *Salomons.*] Did not the Lord Mayor go and view these dummies, and were not Conservancy Courts held, for persons to come and state any grievances they had?—They held Conservancy Courts, certainly, but the parties had no permission from the Corporation of London to place these dummies. I do not know who saw the dummies, but I know they had no permission to place them there.

6021. Could not the Lord Mayor, in his own right, give them permission?—No; the Navigation Committee were the parties who considered these questions, and who gave permission; the Lord Mayor himself had not the power; but many years since the Lord Mayor and water bailiff had exercised that power.

6022. Mr. *Locke.*] But the Navigation Committee only acted for the Lord Mayor; he was Conservator of the river, was he not?—All the duties of the Conservancy were performed by the Navigation Committee.

6023. But were not those duties performed by them, as the delegates of the Lord Mayor?—The Lord Mayor was a member of the committee, but he rarely attended, and he was not made acquainted with the proceedings.

6024. But supposing that the Navigation Committee had done the act, would it not have been the act of the Lord Mayor, through them?—The Conservancy of the Thames was in the Lord Mayor, the commonalty, and citizens of the city of London, and the duties have been performed since the year 1774, by a committee of the Corporation.

6025. *Chairman.*] Then, was that committee a delegation, not of the authority of the Lord Mayor, but of the authority of the Corporation of London?—The Navigation Committee was appointed by the Court of Common Council.

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6026. And they exercised those duties, not as delegated by the Lord Mayor, but by the Lord Mayor and the Corporation of London?—Yes.

6027. You have heard many complaints of the landing place which the Conservancy Board has erected at Fenning's Wharf?—Yes.

6028. Will you explain to the Committee the history of that landing place?—There are on the south side of London Bridge most convenient stairs, which were used, as I have stated, before the small-boat traffic on the river had dwindled to next to nothing; the Conservators were anxious to make these stairs available for the use of the public, and they placed a dummy under the first arch, with approaches, certainly as limited as could well be desired, from the stairs, to this dummy under the arch; they believed that that would be a great public convenience, that it would enable parties to land, and to take either side of the bridge, or either side of the high road, into the Borough; and certainly experience has shown, that what the Conservators expected has really happened; that this has been, and is a great public convenience. Many thousands of persons land there every day, sometimes 8,000, 10,000, 12,000, and we have had 15,000 persons land and embark at that pier in one day, without any accident or mischance; nothing could be more convenient.

6029. Has the number of passengers landing at that pier greatly increased since the Conservators put up that landing-place?—It has greatly increased since the old accommodation that was there has been removed and the new pier placed by the Conservators.

6030. With respect to the injury which it is alleged has been suffered by the Messrs. Fennings, what have you to say to that?—Before the Conservators finally determined to place the pier, a Committee of the Conservators went on the spot; they heard the parties on behalf of Messrs. Fenning, they considered all that Messrs. Fenning stated, and they did not think that it justified them in excluding the public from the use of the stairs below London Bridge, on the mere statement of Mr. Fenning that his vessel might sometimes be prevented from overlaping those stairs. That was the case which was put; that his vessel might sometimes overlap the stairs, and therefore that those stairs should not be appropriated, as we proposed, to the use of the public.

6031. Did the Conservancy Board communicate freely with Messrs. Fenning while this was in the course of progress, listen to their complaints, and carefully consider them?—We heard and listened carefully to all that the Messrs. Fennings had to say.

6032. The Act of Parliament, I observe, says that the Home Office shall appoint an auditor of the accounts to the Conservancy Board: has that auditor been appointed?—No, he has not; I do not know why; one of Her Majesty's Principal Secretaries of State may, if he thinks fit, appoint an auditor.

6033. And, in point of fact, no auditor has been appointed by the Home Office?—Just so.

6034. Have the accounts ever been audited by any individual person?—The accounts have not been audited by any auditor, that is the only ap-

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pointment of auditor that is recognised. I should state that we have amongst ourselves an audit committee, and we have an audit establishment in the house.

6035. But that is an auditing of your own accounts, is it not?—It is so.

6036. Did you think it right to go on with this clause in the Act of Parliament, year after year, without having the accounts audited by an independent authority?—Really it was with the Home Office to appoint, or not. I had frequent communications with Sir George Lewis when he was Home Secretary, and he took no steps in the matter.

6037. Did you never think it right to represent to the Home Office that it had not made such appointment?—I did not make any representations upon the subject; Sir George Lewis knew the Act of Parliament as well as I did.

6038. With respect to the constitution of the Board, the Board is a Board of nominees; do you prefer that it should remain so, or that the elective principle should be introduced into its composition?—I think as the Corporation of London have acted as Conservators for many centuries, and as there have been no complaints of the way in which they have discharged their duties, I say, advisedly, no complaints, that no further interference should be made with their position on the Board of the Thames Conservancy. At the time the Act of 1857 passed, no complaint was made of the way in which the Corporation of London discharged their duties; the alteration was made by agreement between the Crown and the Corporation, and solemnly sanctioned by Parliament. All the objections which have been stated before this Committee to that constitution, were stated in the Report of the Board of Trade which was made to Parliament at that time, or in the speeches of those who addressed the House when the Bill was before Parliament for consideration; and after considering the Report of the Board of Trade, and after hearing the statements of those who considered that the Conservancy Board should be differently constituted, Parliament, by a very large majority in the Commons, and by a still larger majority in the Lords, passed this Bill, and so sanctioned the agreement which had been entered into between the Corporation of London and the Crown, and approved of the present constitution of the Board.

6039. If the Act of Parliament which was then passed, had framed the Conservancy Board with a representative character, do you, or do you not, think that its working would have been more satisfactory to the public?—As far as the efficiency of the Board is concerned, that is to say, as to their ability to discharge their duties efficiently, I believe that such a change would have had no beneficial effect; but as to the fancies and theories of individuals, it may have satisfied some, it may have displeased others. I cannot say what the effect would have been on the minds of those who are advocates of the doctrine, that representation should follow taxation.

6040. Is it not a reasonable desire on the part of those who contribute their money to any public purpose, that they should have some control over the persons by whom the money is expended?—In the abstract it is undoubtedly so.

6041. But in practical life is it not so?—Let us pursue that a little further. In a community where the whole or a greater part subscribe, and where the objects to be obtained are only interesting to the community, then I say clearly that those who subscribe should have a voice in the choice of those who shall administer the funds; but in the case of the Thames, which is a matter of public importance, in which the whole community are interested, and not one class; not the ship-owner or the barge owner, or the steamboat-owner merely, but the entire public; then I think it is a question whether the management of that river should not be placed in the hands of those who may be thought by those well qualified to judge, sufficiently intelligent and independent to perform those duties satisfactorily to all.

6042. Upon the whole, do you think it is undesirable that the principle of election should be recognised in the constitution of the Board?—I hardly know how you can apply that principle on the Thames. A gentleman attended here, when I was in the room, a day or two since, Mr. Tindal, who said that he was the chairman of the General Shipowners' Society, and he said that they subscribed about 20,000 *l.* a year, half the income of the Conservancy Fund. Now it is very true that the tonnage dues amount to nearly 20,000 *l.* a year, but who are the tonnage dues paid by? They are paid by the owners of vessels from all parts of the world; they are not paid by the shipowners of London only, but by the owners of vessels from every quarter of the globe, and from every port in the United Kingdom. The shipowners of London altogether, do not pay one-fifth part of the tonnage dues, and of the shipowners of London, not one-half, I am not over-stating it when I say so, belong to that association of which Mr. Tindal said he was the representative; he says that those parties pay 20,000 *l.* a year; I say they pay nothing like it.

6043. But the shipowners of London do contribute very largely to the Conservancy Fund, do they not?—Yes. But I think we may pursue this a little further: the tonnage dues are a charge on the freight, they form part of the cost for freight, and of the cost of the article carried, and, as with every other charge, they are ultimately paid by the consumer; therefore the great public who are interested in the River Thames are the contributors to the Conservancy Fund.

6044. In the first instance, it is paid directly by the shipowner, is it not?—By the shipowner or his agent.

6045. Mr. *Longfield.*] Are not the shipowners the persons whom the Conservators have to control?—We control those who are in charge of vessels, the captains, the masters, and the pilots.

6046. You are, in fact, inspectors of police, for the benefit of the public, upon the River Thames?—Yes.

6047. Mr. Alderman *Salomons.*] What do you think of publicity in your deliberations?—If you ask me personally, I have not the slightest objection to it, but I think we should have to adopt the practice which prevails in the Committees of the House of Commons; when we deliberate we should have to clear the room, and as those deliberations occupy about seven-eighths of our time, the public would have very little opportunity of being present.

6048. Mr. *Locke.*] I suppose you mean that you clear the room, when you divide?—No, when we deliberate.

6049. *Chairman.*] Then I understand, that after a long and large experience in the constitution

tution of this Board, you are of opinion that it is as perfect as human work can be?—I will say this: I believe that the members of the Board are efficient members of the Board; I believe that they have done their utmost to discharge their duty properly to satisfy the requirements of the Act of 1857, not merely with regard to placing piers but also with respect to removing shoals and impediments in the navigation of the river, and giving facilities to the trade in the way of moorings; and we have not waited to be prompted; we have often considered what could be done for the advantage of the public, and have not waited to be asked, but have given to the public such advantages as we thought they should have.

6050. Then you have no alteration to suggest in the constitution of the Board?—I have not, for this reason: that the members of the Board are efficient members, and the Board has worked satisfactorily. I think if it could be shown that the Board, as a Board, was inefficient, that the members of it were inefficient, that they had not discharged their duty, then a case might be made out for an alteration; but I distinctly deny that the members are incompetent, or that they have failed even in considering those interests which might perhaps be affected by the works which they have felt it their duty to execute on the banks of the river for the accommodation of the public.

6051. You would disregard then, entirely, the dissatisfaction with which the constitution of the Board is viewed by a large portion of the public?—I deny that it is so regarded; I say that if the population of London was polled, nine-tenths of them would be in favour of the Board; the opposition which the Committee has heard, and the disfavour that has been stated to them, has been got together after much whipping and industry on the part of the members of the different associations which have been mentioned here, but what has it amounted to; who has appeared before this Committee out of the millions who are interested in the proper management of this great river?

6052. Mr. *Longfield.*] I suppose you think that the great public consists of individuals as well as property proprietors?—Yes.

6053. And in all your works you have endeavoured to accommodate the great majority of individuals as against the interests of property-owners; is that it?—We have respected the property owners' interests.

6054. But that is the principle on which you have proceeded, is it not, the accommodation of the public?—We have given the public that accommodation, which we thought them entitled to.

6055. As between those travelling by steam and those travelling by boats, I suppose the number travelling by steam is so incomparably greater, that you thought it your duty to study their interests rather than the others, if they come in conflict?—We have endeavoured to satisfy both, and though we may have somewhat diminished the space which was previously given to the small-boat traffic, we have very much improved the character of that accommodation; in most cases we have given them the facility of landing at low-water, which they had not before.

6056. *Chairman.*] Could not they land at the old piers at low water?—No; at many of the old stairs they could not approach the stairs at low water unless they went up to their knees in mud.

6057. Mr. *Locke.*] You do not allow any of the small boats to land at the piers, do you?—Yes, we have stairs placed on purpose for those who wish to land, but as I have already said, the small-boat traffic is now very small.

6058. Sir *J. Hanmer.*] Have you heard any recent complaints about the extent of the pier at Millwall?—That is an exceedingly awkward place for a pier; however, the Conservators determined to place a pier there, at the request of many of the inhabitants. We had memorials, very numerously signed, and the Steamboat Company also requested that a pier might be placed at Millwall; it was impossible to give them the approach to the shore without carrying the pier out to the distance at which it was originally placed, without dredging; the Conservators determined to place a pier there temporarily, to see how it would answer; it was not a permanent work, but to ascertain whether the traffic would justify the continuance of a pier in that position; they did not think it desirable to go to the expense of dredging, merely to try that experiment; but the pier was found to answer; a considerable number of passengers landed and embarked there, people interested in property there wished its continuance, and the Conservators then determined to alter the shape and construction of the pier; they altered it to the shape of the letter L instead of the one line of the letter I; and they dredged the approach to the pier. The cost of that dredging would not have been justified merely for an experiment, but as soon as the Conservators saw that a pier was likely to be required as a permanent structure, they altered the shape of it, and went to the expense of dredging.

6059. In its present condition, is it in a satisfactory state, or is it rather in the way of the water-way?—It is a very awkward place for a pier, there is no doubt; and it would not have been placed there if it had not been greatly desired by the inhabitants of the district, and by the steamboat people.

6060. Mr. *Locke.*] Does it interfere with the shipping?—Not in its present form; we have had no collisions. I think nothing has occurred to show that it is of an objectionable character as it is now placed.

6061. Mr. Alderman *Salomons.*] How many years were you chairman of the Navigation Committee?—One year.

6062. How many years were you a member of that committee?—Four years.

6063. And one year chairman?—Yes.

6064. Who was chairman before you?—I think Mr. Rathbone.

6065. Then you came upon the Conservancy Board with four years' experience?—Yes.

6066. Mr. Rathbone, who is now a member of the Conservancy Board, had also had experience from having been previously on the Navigation Committee?—Yes.

6067. Is it not the same with Mr. Turnley?—Yes; he had been Chairman of the Navigation Committee.

6068. There are three members elected by the Court of Common Council?—There are four members.

6069. I suppose the Common Council in electing the members of the Conservancy Board do it with especial reference to their fitness?—No doubt.

6070. It has been stated here that some of your gentlemen that are sent upon the Conservancy Board,

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Board, when you are sent there, are reported as not knowing the head of the ship from the stern? —Many things have been stated here which are without foundation; and they are not only not true, but they are nothing like the truth. It was stated that I was in the paper trade, or a vendor of bottles; now I have not been in business for some years, but I was a merchant, and traded to Australia.

6071. Then you have taken a fancy to looking after the river; you are an amateur in that respect; it is your pleasure, your hobby, is not that so?—I was upon the Navigation Committee for four years; I then became acquainted thoroughly with the River Thames; and I think I am able to do my fellow citizens and the public some little good as a Conservator.

6072. *Chairman.*] What the Conservators do not know with respect to the river, do you think they are very capable of learning?—Yes.

6073. Mr. Alderman *Salomons.*] With regard to the piers, do not you think that those piers might have been constructed by other persons according to your own pattern, more satisfactorily to the public than they have been?—We should have been very glad if it could have been accomplished; we had no desire to construct piers ourselves if the public could have been supplied without our assistance, but it was really impossible; if you will consider the wording of the Act, you will find that it is utterly impossible to give private individual power to construct and place such piers as the Conservators have constructed, and which they deemed necessary for the public convenience.

6074. Would it not be better, even when constructed, that they should be let at a rent rather than be held by yourselves?—I think not; the Conservators appoint officers to take charge of the piers, to wait on the public, to work the brows and give the necessary attendance. We make diligent inquiry into the character of all the parties we appoint; we appoint none but such as have good characters; we require them to be attentive and courteous, and upon the slightest well-grounded complaint we remove them; we really believe that that duty would not be so well performed if these powers were handed over to persons whose special object would be to make a profit out of the piers.

6075. If I had one of these piers, would it not be to my interest to give satisfaction to the public, and to have fit men to take charge of them? —No doubt it is the interest of all parties to be courteous, and to give satisfaction, but unfortunately, individuals frequently fail in doing so. There is no doubt that a party renting the pier would be disposed to get his labour done at a very cheap rate; most likely he would put inefficient persons upon the pier, and we should very soon have complaints; in fact, we have had complaints of the conduct of persons employed upon the piers that are not now in the hands of the Conservators. There are complaints now at the office of the conduct of those persons.

6076. Mr. *Longfield.*] The principle of competition, then, you think, would not secure the public from the exactions of these men, or from their insolence?—No.

6077. If you wanted to go to a pier, you must go there notwithstanding they might be rude, insolent, or extortionate?—Yes.

6078. *Chairman.*] With respect to these piers, it has been complained to the Committee, that they are constructed at an undue cost. Are you of opinion that there is any foundation for that complaint?—Oh dear, no; the cost has been very moderate indeed. We have had tenders for all that could be supplied by contract, and we have taken the lowest tenders from respectable parties. That which could not well be done by contract, we have done ourselves. Our engineer, Mr. Leach, has devoted great attention to it, and I assure the Committee that not one pound has been spent that could have been saved. I think the cost of the piers has been very moderate indeed.

6079. Without any undue expenditure in regard to the accommodation which you proposed to give, it seems to be alleged that you have proposed to construct landing places unnecessarily large and expensive?—After full consideration, we consider that we have only given the public reasonable accommodation.

6080. What sum do you annually receive from the steamboat companies for the use of these piers?—The Act of Parliament gives us power to charge a maximum toll not exceeding sixpence each time of calling. At the request of the steamboat companies we have taken a lump sum per annum from each company. That saves the necessity of counting the number of times of calling, and perhaps, also, saves disputes. I should tell the Committee that we endeavour to obtain just enough to pay the wages of the pier men, to cover repairs, to pay interest at five per cent. on the cost of the pier, and another five per cent. as a sinking fund to pay off the principal.

6081. Mr. Alderman *Salomons.*] And no more? —No more; that is all we seek to accomplish, and we accomplish about that.

6082. Mr. *Lindsay.*] If the piers were in private hands, perhaps they would not be satisfied with such returns?—I think very possibly.

6083. Consequently, the public are gainers, so far as regards the charges upon these piers being in the hands of a public body?—I am sure the public are great gainers.

6084. Sir *John Hanmer.*] You are merely ministerial officers; you have no beneficial interest, have you?—No.

6085. Mr. *Locke.*] You stipulate that they shall pay 10 per cent.; 5 per cent. first, and 5 per cent. more for a sinking fund?—We so arranged the tolls, that they yield enough to satisfy that which I have stated.

6086. But the profit is to be 10 per cent.?— There is no profit.

6087. Mr. *Lindsay.*] If these piers were your own private property, notwithstanding their rapid depreciation from wear and tear, would you consider the sum you have named a fair return for the capital you had invested?—Interest at 5 per cent. is as moderate as any person can expect; and surely the amount of the pier dues should have this effect, that the piers by-and-bye should be paid for.

6088. Mr. *Locke.*] So that you do get 10 per cent.?—No; we get nothing.

6089. You get 10 per cent.?—Surely that is a prudent arrangement.

6090. Mr. Alderman *Salomons.*] Was it not proposed by your Bill to take toll by tale of passengers, instead of a tollage on the vessel, as it is now, in your Act?—In that Bill it was proposed to take power to charge so much per head, or per hundred, instead of so much each time of calling; that was desired for this reason, some of the steamboat companies complained that our charge

was too high, and that so few passengers landed at the pier, that they could not afford to pay it. We said, "very well then, pay us so much per hundred; if you land few persons pay us little; if you land many, pay us more; we give you the opportunity of paying either way." We were satisfied, but the steamboat companies were not.

6091. Mr. *Longfield.*] You gave them the alternative, as they thought it proper to make the arrangement one way or the other?—Yes.

6092. You are trustees for the public?—We consider ourselves so.

6093. It is your duty to raise as large a fund as will enable you to discharge your duties as trustees efficiently?—Just so.

6094. And you regulate the charges to the public by that?—Yes.

6095. You consider yourselves, I take it, in no sense a trading corporation?—We are not a trading corporation.

6096. Do you expend every shilling you get for the public advantage?—We do.

6097. And do you consider that your duty?—Yes.

6098. Mr. *Locke.*] I suppose you consider that you do not take more than is absolutely necessary?—Certainly.

6099. However, upon what you have stated, there must be a profit of 10 per cent.?—There is no profit.

7000. There is 5 per cent., you say, the interest upon the money laid out?—Yes.

7001. And five per cent. more eventually to pay to the piers?—Yes.

7002. Twice 5 is 10, is it not?—Certainly.

7003. And that is to be a profit raised every year of five per cent. as the interest of the money. A person who gets five per cent. in any concern in which he embarks, and gets five per cent. over the money that he embarks in it; is not that so?—The five per cent. interest and the five per cent. towards the sinking fund, is a reasonable provision for the payment of the cost of the piers.

7004. But you get from the pier 10 per cent. over and above the expenses?—If we have to borrow money we must pay interest for it; if we construct piers we must pay for them, either by a sum down or so much per annum.

7005. You borrow the money to do it; but another person who embarks in it, may put his own money in it, may he not?—Yes.

7006. And get five per cent. by it?—Yes, and he would expect to be paid.

7007. The five per cent. paid to him by the public, is no more than it is paid to you, is it?—This is not a payment for services, it is payment for an article supplied.

7008. *Chairman.*] Is this all done in the interest of the public?—Yes.

7009. Have you yourselves any beneficial interest in the operation?—No.

7010. Mr. *Locke.*] Is the sum charged for passengers landing, less than would be charged by ordinary individuals erecting a pier?—Yes.

7011. Mr. *Longfield.*] Suppose the cost of your pier was 6,000 *l.*, and after keeping up the staff upon it it makes you a return of 600 *l.* a year, do you dispose of that for public purposes?—Yes.

7012. Mr. Aldermen *Salomons.*] How were these piers paid for; from what fund?—By the Conservancy fund.

7013. Is that the fund which was paid over to you by the City in consols?—The Conservancy Fund is composed of that which is paid to the Conservators; tonnage dues, tolls, rents, and fines, interest on the sum invested, and such portions of the sum invested, as they may think necessary to sell out.

1014. Have you not sold some of the funds of the City for the purpose of paying for these piers?—We have sold out some of the money invested, and applied it for Conservancy purposes.

7015. *Chairman.*] With respect to the bonds, the position of the bondholders seems to be a very hard one, is it not so?—I have not been able to see it; I have heard it so stated; the money was lent on the security of the tolls and dues of the upper navigation; the interest is to be paid from the receipts, and tolls, and duties. There is a provision made in the Act of Parliament (the 50th Geo. 3) for the repayment of those bonds; whenever the receipts in one year exceed the expenditure, then a certain sum is to be applied in payment.

7016. Mr. *Longfield.*] I do not think you understand the position of the bondholders; they complain that the funds out of which they are to be paid their interest has been transferred to the Conservators, but that there has been no express transfer to the Conservators of the liability, although you have paid the interest regularly?—We consider that there has been a transfer of the liability, and we have the opinion of eminent counsel that the Conservancy funds are liable.

7017. *Chairman.*] To the interest and to the principal?—Yes.

7018. Mr. *Longfield.*] You have always acknowledged your liability to pay interest?—We have always paid the interest, and there is a provision for the repayment of the principal; whenever the receipts of the Conservancy Fund exceed the expenditure, then so much must be applied in paying off the debts due upon the tolls and duties.

7019. Then you have no objection to a declaratory Act, stating that all the liability has been transferred?—Not the slightest objection; we believe that it is so now.

7020. You never contested it?—No.

7021. Have you been applied to for the interest on the part of Mr. Browne, who brought the action against the Lord Mayor and the Corporation of London?—Mr. Browne wished the 80,000 *l.* that was invested applied to the payment of so much of the bonds.

7022. But he never applied to you for his interest?—He deferred making application for a considerable period.

7023. Has he never applied to you for his interest?—He has applied, and he has had his interest.

7024. But I mean before bringing his action against the Lord Mayor and Corporation?—He did not apply to us.

7025. If he had applied, would you have paid him in the same way that you paid others?—He applied to the Chamberlain, and he was referred to the treasurer of the Conservators for the interest, but he declined to go to him.

Veneris, 19° *die Junii*, 1863.

MEMBERS PRESENT.

Mr. Blackburn.
Mr. Cave.
Mr. Joseph Ewart.
Mr. Hankey.
Mr. Richard Hodgson.
Mr. Hutt.
Mr. Lindsay.
Mr. Locke.
Mr. Longfield.
Mr. Shafto.
Mr. Somes.

THE RIGHT HON. WILLIAM HUTT, IN THE CHAIR.

Mr. JONATHAN THORP, called in; and further Examined.

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7027. *Chairman.*] WHAT did you understand to be the reason why the Fishmongers' Company was unwilling to accept the proposal of the Conservancy Board to construct a pier at Old Swan Stairs?—Because they could not agree with some of their neighbours, and with their tenant, Mr. Jones.

7028. Did the Fishmongers' Company object to the form of the pier which it was proposed to put up there?—No, they approved of the form.

7029. Was any plan of a pier suggested by the Fishmongers' Company to the Conservancy Board?—Yes, a plan was submitted by them, and it was approved by the Conservators.

7030. What was the nature of that plan?—It was a plan for a dummy, and a bridge to the dummy, and the dummy was to be placed very much in the position of their former pier.

7031. Did the pier which they proposed to erect give more or less facility of access to their wharf than the one which has been put there by the Conservancy Board?—I think it gave less accommodation in that way than the one which we have placed, but more than the one which they had there previously.

7032. Was the dummy, in fact, nearer to the wharf?—Yes.

7033. And, consequently, the space between the wharf and the dummy was considerably contracted?—Yes.

7034. That was a pier which they approved of, of course, as they put it there afterwards?—They asked for permission to place it, and they agreed to the conditions which the Conservators thought desirable. We were under the impression that they would place that pier, and we waited for nearly 12 months, I think.

7035. With respect to Allhallows Stairs, we hear that the alteration that has been made by the Conservancy Board has been objected to; was the proprietor of Allhallows Wharf one of the parties who brought an action against the Conservators for injury to the property?—I really do not know the proprietor of Allhallows Wharf.

7036. Is the holder of Allhallows Wharf a leaseholder?—The London Brewery Company have premises on one side of Allhallows-lane, and the Clothworkers' Company have property on the other side, just at the river side.

7037. Did they object to the alteration made in the stairs?—They objected to the pier; they objected to having a pier placed as we were about to place it.

7038. You have made an alteration in the stairs, have you not?—Yes.

7039. Did they object to that alteration?—I have not heard of any objection to it on their part, unless the objection was made before the Court of Chancery, when the question was under the consideration of the Vice Chancellor, but I am not aware whether that objection was raised there or not.

7040. Has any application been recently made to the Conservators by Mr. Thornton for any alteration at Old Swan Stairs?—Since that pier has been placed, several of the owners and occupiers of property near Old Swan Stairs have requested the Conservators to alter the formation of those stairs, to remove the present stairs, and to place something offering less obstruction to the inshore navigation.

7041. Do you understand that they propose that you should make a similar alteration at Old Swan Stairs to that which you made at Allhallows Stairs?—Old Swan Stairs occupy a considerable space on the foreshore of the river, and in their present form they are nearly unnecessary; all the accommodation that is needed there for the small-boat traffic might be had by placing some structure not occupying a twentieth part of the space.

7042. Did you say that Mr. Thornton had applied for an alteration at Old Swan Stairs?—I said that several of the owners and occupiers had applied; and Mr. Thornton had stated to the Conservators that he had no objection to that alteration, indeed that he would be glad of it.

7043. Mr. *Longfield.*] Those stairs were not put up by the Conservators, I believe?—They were not put up by the Conservators of the Thames, but we consider that all public landing places are under our care.

7044. *Chairman.*] Mr. Capper complains that you do not dredge the mud at the entrance of the Victoria Dock?—It so happens that the entrance to the Victoria Dock is placed in a part of the river where the mud collects, and where it will collect, and it will require constant removal from time to time. Mr. Capper, or those who represent the Victoria Docks, made application to the Conservators to remove the mud or material that offered an obstacle to the approach to the docks; the

the Conservators considered it, but they did not think that this formed a portion of the highway part of the River Thames, if I may so speak; that they were, therefore, not justified in spending the Conservancy or the public money upon it; that they considered it rather the duty of the Dock Company to clear their entrances, than the duty of the Conservators to dredge away that portion of the bank.

7045. Nevertheless you offered the Dock Company the use of your dredger for that purpose, did you not?—Yes, we did.

7046. Did the Dock Company accept that offer?—No; they have not availed themselves of it.

7047. Did you consider yourselves bound to give them that accommodation, or was it an act of gratuity?—I think it was an offer that the Conservators were quite justified in making; indeed, I think the whole question is one upon which there might be two opinions. I think it is not so clear a case, but that parties might, without being very wrong, be permitted to differ.

7048. Is the channel of the river much injured by the mud which is now discharged into it?—Very much.

7049. How is it that you have not prevented the mud from being thrown into the river?—The mud from barges, I presume, is meant. The docks require emptying, and the mud has to be removed frequently from them; it is not merely the deposit from the water of the Thames, but the rubbish which is thrown into the docks from ships and warehouses. The dock authorities contract to have this material or mud removed by barges; it is illegal to throw it into the river. It is expected that parties removing this material by barges shall place it above high-water mark; shall land it, in fact, and take it from the navigation; but it is so much cheaper to throw it into the river, that frequently, when parties have the opportunity of doing so, they take it to a part of the river a little below Blackwall, and there throw it into the Thames. If these practices were permitted, it would stop the navigation. To show the Committee the injurious effect of these practices, I may state the Government contract to have the mud taken from the basins of Woolwich Dockyard; the contractors place the mud into barges, and the practice has been to take that mud a short distance up the river, to what is called the head of Bugsby's, and to throw the greater portion of it again into the river, at the ebb tide; and this mud, which has been removed at great expense from the basins, is drifted down to the front of the dockyard, and finds its way again into the basins; in fact, the effect of throwing mud into that part of the river has been this, that there is hardly water enough for vessels in what is called the "ordinary," that is, the part of the river opposite the dockyard, so great had been the deposit of mud occasioned by this practice of throwing it overboard.

7050. Mr. *Locke.*] You cannot say that it is the same mud. I suppose you do not mean that it can be identified?—There is no doubt that it is so; it is merely taken up from one place, and put in at another.

7051. *Chairman.*] Do not the provisions of the Conservancy Act empower the Conservancy Board to prevent an operation so injurious to the river?—The law is, that if a party is found offending, and of whom it can be proved that he is engaged in throwing this mud into the river, if he is convicted, he may be fined 20 *l.*; that is, if you can catch him and take him before a police magistrate, the magistrate may fine him 20 *l.*

7052. Mr. *Locke.*] That is so now?—Yes, that is the law.

7053. *Chairman.*] Is not that power sufficient?—No, it is not; these men can see the police, for the officers of the police as frequently take them as the officers of the Conservancy; they have what is called "a crow," that is, some person perched up in a position where he can see a considerable distance, and when they see the police or the Conservancy officers, they give an alarm, the work on the barge ceases, and the gang scamper off; it is rarely that we can catch them.

7054. Then, in practice, there is a considerable discharge of mud into the river, notwithstanding it seems to be one of the duties delegated to you by Parliament to prevent such obstructions being thrown into the river?—Yes; I believe there has been less mischief done in that way lately than previously. We have appointed mud inspectors, whose sole duty it is to keep watch upon these people; they know the parties, and know where they live, and if they see them, even a long distance off, they can follow them to their homes and find them, and that has in some measure checked it; the police have done their utmost to check it, but they have not stopped it. I should say that the fines that have been imposed by the magistrates have been very small; with the option of fining to the extent of 20 *l.*, the magistrates frequently fine but 40 *s.* or 50 *s.* That has had really very little effect, for these mud contractors and their men have a club amongst themselves, and if they get found out, they pay the fine; in fact, it is much better and cheaper for them to go on, and throw the mud into the river, and pay the fine, than it is to place the mud ashore.

7055. In fact, you think that in order to enable you to carry out the duty which is delegated to you by Parliament, it is necessary to have additional Parliamentary powers?—I think so. I had some conversation with Mr. Traill, the Police Magistrate at Greenwich, a gentleman before whom many of these parties are taken, and he suggested that we should apply to Parliament for an alteration in the law, similar to that which was made in the Metropolitan Police Act, where there is a section to this effect, "And be it enacted that whenever any person having charge of any horse, cart, carriage, or boat, or any other animal or thing, shall be taken into the custody of any constable under the provisions of this Act, it shall be lawful for any constable to take charge of such horse, cart, carriage, or boat, or such other animal or thing, and to deposit the same in some place of safe custody, as a security for payment of any penalty to which the person having had charge thereof may become liable, and for payment of any expenses which may have been necessarily incurred for taking charge of and keeping the same. And it shall be lawful for any magistrate before whom the case shall have been heard, to order such horse, cart, carriage, or boat, or such other animal or thing, to be sold for the purpose of satisfying such penalty and reasonable expenses in default of payment thereof, in like manner as if the same had been subject to be distrained, and had been distrained for the payment of such penalty and reasonable expenses."

7056. Mr. *Locke.*] Is that a clause in the late Act?—

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Act?—No, it is an Act for improving the police the Act of 17th August 1839.

7057. The regular Police Act of the Metropolis?—Yes; it is now in force.

7058. *Chairman.*] I wish to ask you one or two questions about Putney Bridge; is there a Bill now before Parliament dealing with that subject?—I believe so.

7059. Were the Conservators the promoters of that Bill?—The Conservators have not promoted any Bill this Session for the removal of Putney Bridge. The Great Western and Brentford Railway Company, the Thames Steam Tug Company, and other companies, have promoted a Bill, and have asked Parliament to give the Conservators power to raise money to remove the old bridge, which is a great obstruction to the navigation of the river, and place another.

7060. Then these great companies must have felt a considerable share of confidence in the Conservancy Board, to call upon them to carry out the purpose proposed?—Just so; they urged us to consent. Some of my colleagues rather objected; they thought we had enough to do; but these companies urged us to permit our names to appear in the Bill.

7061. Do the Conservancy Board contribute towards the funds of this undertaking?—Nothing.

7062. Mr. *Ewart.*] If the mud was thrown into the river in the ebb tide, do you think it would do much damage to the river?—Oh, yes; no doubt it would then deposit.

7063. You do not think that it would then be carried out to sea in a state of solution?—If it were thrown into the river below Sheerness, or Southend, near the sea, the damage, of course, would be trifling, but in any part of the river above what we call the Lower Hope, I think it would be damaging.

7064. Anywhere about the Victoria Dock, for instance?—It would be most damaging in that part of the river.

7065. Mr. *Hankey.*] I think on the last occasion of our meeting you expressed an opinion that the charges for using the piers were not more than were sufficient to repay the outlay, and eventually, by means of your sinking fund, repay the cost of making them?—Yes.

7066. Then in that way the public now have the advantage of the piers, without contributing in any way to the profit which might be looked for if those piers were made by private individuals, have they not?—They have the accommodation at its cost price.

7067. Would any private individual have made piers upon those terms?—I presume not.

7068. Then the public using those piers do not contribute in any way to the expense of preserving the river?—Not in any way, not by pier dues.

7069. I mean the public using the piers?—No.

7070. Do you not think it would be a reasonable thing for the public using these piers in this way, to contribute something towards the expense of maintaining the river, which is the highway they use, in the same way that they would in maintaining a highway by a turnpike toll?—The Act does not seem to contemplate any such thing; the Conservators are required to place piers and landing places, and to charge reasonable dues for the use of them, not to charge that which would be more than reasonable, with a view of expending some portion of it in the improvement of the river.

7071. In all highways or turnpike trusts throughout the country the expense of maintaining them is defrayed by those who use them, is it not?—I believe so.

7072. The leading thoroughfares throughout England are turnpike roads, are they not?—Yes, I think so.

7073. Does it appear to you that there would be any injustice in making those persons who use this great public thoroughfare, the Thames, contribute something towards maintaining it. At present the public do not contribute more than the mere expense of making the pier in the first instance; is that correct?—Just so.

7074. Without any reference to the existing Acts of Parliament, do you see any impropriety in making the public who use that great thoroughfare, pay for the expense of maintaining that thoroughfare?—I think it is not necessary to increase the Conservancy funds, to impose an additional tax for the improvement of the river.

7075. A certain sum is required, in the whole, to maintain the river, is it not?—Yes.

7076. The question is, therefore, if funds should be levied for the ordinary maintenance of the roads by a toll upon those that use them, whether you should not make those who use the river contribute?—All that I can say is, that it is not necessary to impose a toll on steam vessels.

7077. At the present moment, the charge that you have the right of making is more than that which you levy, is it not?—Yes.

7078. If you levied the full amount you would probably have a larger income?—Yes, the maximum toll is so moderate that I think it would not affect the amount of traffic.

7079. Then you think there would be a larger amount of toll?—Yes, I think there would.

7080. If you received the larger amount of toll to which you are now entitled, there would be less to charge upon some other parties who are non-contributing?—Certainly.

7081. I only ask you the question, whether you do not think that that is a fair mode of raising money from the public for the general preservation of the river?—It is not necessary that any further contribution should be made to the Conservancy funds; if there is to be a re-arrangement, that is, a general revision of the taxation necessary, that might be considered, but at present I am not prepared to give an opinion.

7082. Parliament has given you the power of charging a certain rate, and you do not charge that full rate?—We do not.

7083. Therefore, the proportion of the public who use the piers, do it without paying any contribution to the distinct purposes of the preservation of the river, is not that the case?—They pay nothing towards its maintenance.

7084. Mr. *Locke.*] Do not the steamboats pay?—No, the steamboats do not pay; they pay the pier dues.

7085. Mr. *Longfield.*] After a certain time would not you, as Conservators, have the pier, as it were, paid for by the public, and will from that be in receipt of a further amount of toll, more than sufficient to keep the pier up?—Just so.

7086. From that date will not the public be contributing, in fact, by the tolls which they will pay in excess of the repairs, to the general improvement of the river?—Yes; but we have power to reduce the dues.

7087. But you will always keep it above the cost of the repair, will you not, after it is paid off?—

off?—Our object is to make these piers self-supporting; that they shall pay for themselves, and nothing more. If any contribution is required for the improvement of the river, it should come from some other quarter; the piers should not be made, as the Honourable Member suggests, turnpikes for the payment of contributions for the improvement of the river.

7088. Mr. *Hankey.*] Are not the river steamers which now use those piers greatly interested in the preservation of the river by the Conservancy Board?—A very little outlay is required for their accommodation, if any, except, perhaps, some little about Kew. When the Navigation Acts passed, giving the Corporation of London power to improve the upper part of the river by the formation of locks, weirs, and towing paths, powers were given to them to charge certain tolls upon a certain class of vessel; smaller vessels under a certain tonnage, that do not require these accommodations, that do not require these improvements in the navigation, were exempted; all vessels, the size of which did not require the use of locks and other works, were exempted; steamboats that ply on the river are also exempted.

7089. I believe, formerly, before steamboats were used on the river, the navigation was constantly impeded by shoals above London Bridge, opposite Hungerford Market, where there were beds of gravel or banks, which rendered it very difficult, at low water, to get up even from London Bridge to Westminster Bridge?—Yes.

7090. Has not that been greatly improved by the action of either the Conservancy Board or the Corporation of London?—The Corporation of London have dredged, and the Conservators have dredged.

7091. Both?—Yes.

7092. They had been to some expense, of course?—Yes, but I think the material there is very good, therefore the expense would not be great.

7093. Still it has been done?—It has.

7094. Is it very essential for the steamboats using the river so largely to have the free course of the river preserved in its present state?—Yes.

7095. Whatever expense is incurred in consequence, ought not the steamboats to contribute in some way to pay that expenditure?—I think it is not necessary; it would not be unfair to require them to contribute something, perhaps, but an increase is not necessary.

7096. Is that because you have funds enough from one source or another at the present moment?—Yes.

7097. But if the steamboats contribute anything, it would be a relief to other parties who are now contributing, would it not; it would be a relief to that extent?—No doubt; it would render contributions from other sources to that amount unnecessary.

7098. The fact is, that the steamboats now using the river pay nothing whatever for the expenditure which is incurred in the preservation of the river above London Bridge?—Just so, they are exempt.

7099. Mr. *Locke.*] What other boats are exempted from the payment of tonnage dues?—Coasting vessels of 45 tons and under, coasting vessels laden with corn, fishing vessels, vessels laden with stone and vessels in ballast, and all passenger vessels—they are all exempt below bridge.

7100. What are exempt above bridge?—From three tons and under, and all pleasure boats.

7101. *Chairman.*] That is in the port of London?—Yes.

7102. Mr. *Locke.*] Then, in point of fact, passenger vessels are exempt above London Bridge?—Yes.

7103. If you put a tax on those steamboats above London Bridge, you would have to put a tax on steamboats below to be fair, would you not?—No doubt.

7104. Therefore, it is more convenient, is it not, that it should remain as it is, that these passenger vessels should be exempt, and that the public should have the benefit of it?—I have stated that I think it is not necessary to interfere.

7105. Acting as Chairman of the Conservancy Board, you have stated to the Committee that your Board are not aware of any cause existing for complaint against the operation of the present Conservancy Act. Is it within your knowledge that a deputation, comprising gentlemen from both sides of the river, waited upon the First Lord of the Admiralty to complain of the operation of the Act of Parliament, so far back as the early part of 1860?—Yes.

7106. Do you recollect upon what ground that objection was made?—Principally or entirely upon the ground that we had interfered with the access to Messrs. Fenning's Wharf, by placing the pier at the south side of London Bridge.

7107. Who was First Lord of the Admiralty then?—Sir John Pakington. I should state that that pier had been previously approved by the Admiralty. Sir John Pakington sent for the Conservators; we had an interview with him and with those officers of the Admiralty to whom these plans were submitted, who all approved of the conduct of the Conservators.

7108. Was that the only ground?—That was the only ground I heard of. It was the only ground that was stated to us by Sir John Pakington; but I dare say there were other statements made, that is, as to the constitution of the Board, that there should be no citizens; that has been the common cry of the persons who, during the last few years, have been attacking the Conservancy Board, they not keeping in mind that the acts have not been the acts of citizens alone, but of the Board in general.

7109. But they have been the acts of seven citizens, at any rate?—They have been the acts of the Board.

7110. That Board being composed of seven citizens?—Yes, with others.

7111. Mr. *Longfield.*] Those citizens being doubly elected; first by the public for the Common Council, and then by the Common Council for the Board of Conservancy?—Yes.

7112. Mr. *Locke.*] Some of them are elected for life, are they not; the aldermen, for instance?—No; for five years.

7113. The aldermen are elected for life, are they not?—Yes; but there are disqualifications; if an alderman were to fail, or compound with his creditors.

7114. That is under the Corporation Act, is it not?—Yes, and under the Conservancy Act too.

7115. The Conservancy bye-laws, I believe, were first published in February 1860?—Most likely.

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7116. On the 12th of May 1860, was not the attention of your Board drawn by a letter from the Southwark Foreign Sufferance Wharfingers' Association to the fact that Bye-law 23 was contrary to law?—We had a communication from the Southwark Association.

7117. Stating that the Bye-law 23 was contrary to law?—I am not aware whether that was the substance; but very likely.

7118. Can you explain how it was that that bye-law was not repealed or amended until June 1862?—That is the bye-law which requires two persons to be on board a barge of 50 tons and upwards. I should state to the Committee, first, that the Conservators were of opinion that two persons should be on board, and that they should be properly qualified. When this bye-law was made, the words submitted to the Lord Chief Justice were these, "Two persons qualified by law." The Chief Justice said, "All persons are qualified by law; I must have something more definite as to their qualification." The words in the Lightermen and Watermen's Act were, that no person should navigate a barge or wherry on the Thames unless he was free of their Company; so that, instead of stating generally, qualified by law, the Conservators inserted the words "licensed, or free of the Lightermen or Watermen's Company, or licensed by the Trinity House, or in the employ of the Conservators." Our object was to provide that there should be two persons on board; one person was not enough.

7119. By the Act of the Watermen's Company, it had been enacted, that one should be sufficient; was not that so?—No; I think the Watermen's Act provides for one person and an apprentice.

7120. As I understand, it was necessary to have two. The Watermen's Company's Act, which had recently passed, enacted that only one should be necessary. Then the Thames Conservators, by their Bye-law No. 23, said that two should be necessary all the same, although the Watermen's Act had decided that only one should be necessary. The Thames Conservators reverted back to the law previous to the passing of the Watermen's Act. Is not that so?—No; the last Watermen's Act provided that no person should navigate any vessel on the Thames, unless he was free of the Company, or licensed by them, under a certain penalty. It makes no exceptions, except in cases where labour is required, and they cannot get skilled labour; but the necessity must arise for that state of things.

7121. *Chairman.*] I understand that that bye-law was framed in accordance with what you supposed to be the law?—Precisely.

7122. And it was framed with a view to comply with the conditions of the law?—Our desire was that two qualified persons should be on board a barge of 50 tons and upwards; the Watermen's Company defined the qualification.

7123. Mr. *Locke.*] Did not the Watermen's Act define this, that only one should be necessary on board a barge, and was not that the dispute between the Watermen's Company and the lightermen, the Watermen's Company contending for two, and the lightermen for one, and ultimately deciding that there should be only one?—The Watermen's Company's Act requires that all persons that navigate shall be free of the Watermen's Company or licensed by them, whether you have one, two, or three on the barge.

7124. You say that is the enactment of the last Watermen's Act?—Yes.

7125. Mr. *Longfield.*] You, in fact, wish to have two skilful men navigating vessels of a certain size?—Yes.

7126. And the test of their competency, you thought, was to be a licensed waterman?—Yes.

7127. Mr. *Locke.*] That was the Watermen and Lightermen's Amendment Act, 1859, was it not?—Yes.

7128. Were Mr. Cory, Mr. Sells, and Mr. Barry, the persons who promoted that Watermen and Lightermen's Act; do you recollect?—I do not know.

7129. Did not this bye-law practically revive the state of things which existed previously to the passing of that Watermen's Act?—I think not.

7130. Does not the Watermen's Act expressly state that it is necessary to have only one licensed waterman, or a duly qualified apprentice of two years' standing on board a barge?—Allow me to read this section: "If any person not being a freeman, licensed in pursuance of this Act, or an apprentice qualified according to this Act, to a freeman, or to the widow of a freeman of the said Company (except as hereinafter is mentioned), shall at any time act as a waterman or lighterman, or ply, or work, or navigate any wherry, passenger boat, lighter, vessel, or other craft, upon the said river, from or to any place or places, or ship or vessel, within the limits of this Act, for lure or gain (except as hereinafter is mentioned), every such person shall forfeit and pay for every such offence, any sum not exceeding forty shillings."

7131. Will you now refer to the bye-law of the Waterman's Company. By the 35th bye-law, vessels requiring two able persons to navigate them, a licensed lighterman and an apprentice shall be sufficient?—The section in the Act says so. To remove any doubt, in order that we may not stand in the way, we have altered the wording of the bye-law to "two competent persons."

7132. Mr. *Longfield.*] In point of fact, it is clear by that Act, that their competency is their being licensed?—We thought so.

7133. You thought that two were required, and they thought one was enough?—Yes.

7134. And upon discussion you agreed to do that?—Yes, to alter it to that extent.

7135. Mr. *Locke.*] It took some time to discuss, did it not?—No doubt.

7136. How many years?—I really cannot tell you the number of years or the time I believe now, although we have altered the wording of the bye-law, that the parties must either be free or be apprentices of the Watermen's Company; we have altered the wording of our bye-law, but the effect is nothing.

7137. It makes no difference then?—No difference at all.

7138. Mr. *Cave.*] That is in the hands of the Watermen's Company, I suppose?—Yes.

7139. Mr. *Locke.*] That being in the hands of the Watermen's Company, and they deciding it in a particular way, do you think it was the duty of the Thames Conservators to interfere with it at all, and to pass laws about a matter with which they really had nothing to do?—It was undoubtedly their duty to see that vessels had a sufficient number

number of hands on board to manage them properly.

7140. But were you aware at the time you passed your bye-laws that the Watermen's Company had made their Bye-law 35?—I do not know the date of the Watermen's Company's bye-laws.

7141. There was a great deal of agitation about this, was there not?—Yes, from the lightermen and others.

7142. Then at last you gave way to that agitation?—I say we have altered the wording of our bye-law.

7143. Then you gave way?—I told you that in substance I believed no alteration had been made, for they must be free of the Watermen's Company now.

7144. Then you mean that you have altered it, and yet you have not?—We have altered the wording.

7145. But the alteration of the wording has made no difference, you think?—In substance I think not.

7146. But those persons who asked you to alter it are satisfied, are they not?—I am not aware; I believe they are not satisfied.

7147. You have not heard any more about it, have you, since you made the alteration?—I am not aware; I think not.

7148. Mr. *Longfield.*] Was your original bye-law, and your amended bye-law, equally discussed by the Lord Chief Justice?—Yes.

7149. Was your Conservancy Act before him?—Yes.

7150. Mr. *Locke.*] What does he say to the last one?—He says, "read and approved," and he signs it.

7151. And he approved of the first one, and signed it?—Yes.

7152. *Chairman.*] Was it the same judge that approved both?—I think so. It was Chief Justice Erle, a very able judge.

7153. Mr. *Longfield.*] Were the facts brought before him?—I think a case was stated to him.

7154. Mr. *Locke.*] And he altered it?—He approved, certainly.

7155. And when that was done, there was no further complaint about it?—I do not remember any, except the general complaint of tyranny, and that was one of the acts of tyranny.

7156. But nothing more has been said about it?—I think not.

7157. You have also stated to the Committee that your Board has no desire to become a trading Company, and that all your proceedings have been characterised by great deliberation and careful weighing of the public interests. That being so, will you inform us upon what public grounds a clause was inserted in the Conservancy Act in the House of Commons, this Session, authorising the Board to erect cranes for the landing of goods, and by that means to compete with private traders, and why such clause was subsequently withdrawn; will you be kind enough to explain that?—Some years since the coal factors and others interested in the coal trade, wished us to erect, or to permit the erection of stages and cranes in the Pool to discharge colliers, instead of the present system of whipping. I may say that most of us would be very glad of any contrivance which would dispense with that not very creditable mode of discharging colliers in the Pool. Upon carefully looking at our Act we thought that we had not power, we had not Parliamentary sanction, to place stages to carry hydraulic cranes in the Pool, and for that reason we asked Parliament to sanction the erection of such cranes as would facilitate the discharge of colliers in the way I have stated; and that explanation we were prepared to give to a Committee of the House if our Bill had reached the Committee; but we were advised that the proper way to ask for it was in the form of our notice.

7158. Mr. *Longfield.*] In truth, the public wished for this accommodation, which the private parties did not afford them, was that it?—The public wished for this accommodation, to enable them to discharge the colliers otherwise than by whipping.

7159. Mr. *Locke.*] The Honourable Member says the public; how many of the public?—The coal trade of London generally; the coal factors and shipowners. A great clamour was raised that we were about to interfere with private trade; that we were to land goods, charge wharfage, and become wharfingers, which never entered into our heads at all. The object was confined solely to the discharge of colliers in the Pool, and this might have been learned by applying at the office.

7160. Where were these cranes to be placed?—The application was to place those cranes in the Pool.

7161. Out in the middle of the river, do you mean?—No, not in the middle of the river; where the tiers now are.

7162. Would they be on the land, then?—No, not on the land.

7163. Then, upon what?—In the river where the tiers now are, out of the way of the general navigation.

7164. But the crane would not stand by itself; it must be upon something?—I said to construct stages upon which cranes were to be placed in the tiers.

7165. Would those stages be moveable?—No.

7166. What would they be fixed to?—They would be fixed upon piles driven into the earth.

7167. Then, they would, in point of fact, form piers?—They would be stages.

7168. If they were on piles they would be permanent constructions in the river, would they not?—No doubt.

7169. And communicating with the land in any way?—No, not communicating with the land.

7170. *Chairman.*] That is the distinction between a stage and a pier, I apprehend?—Yes.

7171. Mr. *Locke.*] How would that be worked; how could they unload coals?—They would discharge coals from colliers into barges; that is now done in the tiers by whipping.

7172. Do you take them out of the vessel and put them upon your stage, and then put them into the barge. Just explain how these cranes would act?—This plan (*handing it in*) will show the stage upon which the machinery was to be erected.

7173. Mr. *Hodgson.*] Were they to be worked by hydraulic powers?—Yes.

7174. Mr. *Locke.*] Was not the objection made to it this: that as you had a harbour-master, and he had the full direction of the river, they were afraid that your harbour-master would send all the vessels to these cranes to be discharged, and therefore it would be an interference with private interests?—I heard no objection of that sort.

7175. What was the objection that you did hear?—I heard that the wharfingers on the banks

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of the river feared that we were about to purchase wharves, and to place cranes for the general landing of merchandize, and so to become wharfingers, which, as I said before, never entered our heads.

7176. But I suppose this would, in some way, have interfered with private interests, if you had established these things?—It would interfere with the whippers; they are the only parties that would be interfered with. Our object in asking for power to construct cranes, instead of asking for power to permit others to place them, was, that we might give the accommodation to the public freely—first come, first served. If these cranes had got into the hands of individuals, perhaps some partiality might have been shown, but we felt bound to provide accommodation for the public.

7177. You proposed, I suppose to charge something for using them?—Yes.

7178. How much?—I do not recollect.

7179. Mr. *Cave.*] In fact, you would be doing by machinery what is now done upon men's backs?—Yes, by leaping and jumping.

7180. Mr. *Locke.*] By this Bill which you introduced, you proposed to levy a tax upon persons using the river moorings, did you not?—No, there are in the river private moorings, that is, moorings that belong to individuals, some of whom have not even property on the banks of the river; most of the parties, however, who have moorings have property on the banks of the river. We have found that the private moorings generally are in an insecure and unsatisfactory state; it is the duty of the Conservators to see that all the moorings of the river are placed and kept in a satisfactory state, because if a barge mooring were to give way, a number of barges might get adrift and considerable damage be done. We thought it our duty to take such steps as would ensure that the barge moorings should be in a satisfactory state. The Act of Parliament of 1857 gave us power to permit others to place moorings to permit those carrying on business on the banks of the river to place moorings, and it gives us power to place moorings where we think such moorings may be necessary for the public convenience, that is, for the public generally; but if a case should arise where an individual carrying on business on the banks of the river wanted moorings for the accommodation of his own trade, and his own trade solely, and we were to place those moorings, we should have no power to require or to enforce anything like payment for the use of the mooring that we had placed for his convenience; at present we can give him permission to place moorings, and he will place them at his own cost; but we have no security or control which will satisfy us that these moorings are in a proper state. If we place them ourselves we use proper contrivances, test the chain, and use screws, as to the stability of which there can be no question; surely it would only be reasonable that the party using these moorings for his private convenience should contribute something to their cost. We asked Parliament to give us permission to place these private moorings, and charge for the use of them.

7181. This is the clause, the 21st: "It shall be lawful for the Conservators to levy upon all vessels not paying tonnage dues, which shall use any of the moorings upon the River Thames belonging to the Conservators, for and in respect of the use of the moorings, such reasonable tolls as shall from time to time be fixed;" was not that a general clause to charge everybody, with the exception of those who pay tonnage dues, for the use of all moorings belonging to the Conservators which are in the River Thames?—It is; but the wording of that clause is with the parliamentary agents and solicitors, and there is an error in the wording of the clause.

7182. The wording of the clause does not coincide with the statement which you have just made as to the persons you were to charge for the use of moorings?—It does not; but I have stated what I know was the intention of the Conservators; and I ought to know, for I proposed it.

7183. Was not the intention of the Conservators published to the world through the clauses of this Bill?—I have stated that there is an error in the wording of that clause; but it is exceedingly difficult to get attornies and parliamentary agents to understand questions of this character. No doubt it is a great blunder.

7184. You are not surprised then at there being a little agitation in the minds of those who use moorings when they saw that clause in the proposed Conservancy Amended Bill?—A number of gentlemen, a deputation from some body of lightermen, waited upon the Conservators, and I made the same statement to them as to the intentions of the Conservators that I have made to this Committee.

7185. Are you aware that by the 39 & 40 Geo. III., cap. 47, all moorings were made free?—Yes.

7186. And that down to the present time they have continued to be free?—Yes, except private moorings; there are private moorings on the river, and the owners of those private moorings charge for the use of them.

7187. But all the public moorings are free, are they not?—Yes.

7188. *Chairman.*] Are there any private moorings now?—Yes, there are many which the Conservators have compulsory power to take, and we are gradually taking them; and where we think it necessary for the public convenience we are placing moorings.

7189. Mr. *Locke.*] As the law now stands, supposing the Conservators took possession of a private mooring, it would no longer be private?—Precisely so.

7190. It would then belong to the public at large?—Just so.

7191. But if this clause of the Thames Conservancy Bill had been passed, there would have been no moorings at all in the River that you would not have had a right to charge for?—It would not have passed in that way.

7192. *Chairman.*] Did you propose to amend it?—Certainly.

7193. Mr. *Locke.*] Who did you mention that circumstance to?—I have stated, to the deputation that waited upon us.

7194. Mr. *Lindsay.*] Do you mean to say then that no charge ought to be made for the use of moorings?—The moorings, by the Act, as the Honourable Member has stated, which were in the Crown, were handed to the Corporation of London, the then Conservators, and they were to be free; formerly a considerable revenue was derived from the use of those moorings.

7195. But sometimes laws are passed which in themselves may be unjust; why, in your opinion, should particular parties get the benefit of these moorings without charge, which must be very useful

useful to them, or they would not use them, and which are maintained at the expense of others?—The moorings are placed by the Conservators, and paid for out of the Conservancy Fund, and the barge owners who principally use these moorings do not contribute anything to the Conservancy Fund.

7196. Mr. *Locke.*] But are not moorings part of the conservancy of every port?—Yes.

7197. You must have something to fasten a vessel to, or else it would be carried away by the tide, would it not?—The moorings below London Bridge are used by ships; they contribute to the Conservancy Fund.

7198. *Chairman.*] I suppose the moorings are placed there in order to prevent the casting of anchors into the bed of the river?—Just so.

7199. If there were no moorings, the ship would ride at anchor, would it not?—Just so, but moorings are placed above London Bridge, which are used by barges.

7200. Mr. *Locke.*] Are they not exempt, and have they not always been so?—They do not pay.

7201. But the other vessels coming to the port of London do pay?—Yes.

7202. And they are likewise exempt from the payment for moorings?—Yes.

7203. Was your first Bill a private Bill?—Which do you mean?

7204. The Conservancy Act of 1857?—Yes.

7205. And, therefore, you were bound to bring in another private Bill, is that so?—We brought in a private Bill after that.

7206. Why were you compelled to do so?—There seems to be some doubt as to the form in which these Conservancy Bills should be taken in Parliament; the matters are of great public importance, undoubtedly, and yet it appears to be usual to bring them in as private Bills.

7207. Mr. *Longfield.*] I suppose your solicitor advised that it was within the rules and orders of the House of Commons?—He did not seem to know what to advise, whether the Bill should be taken into Parliament as a private Bill or as a hybrid.

7208. Mr. *Locke.*] Do you not think it very objectionable that an important Bill like that should be brought in as a private Bill?—I do not presume to give any opinion upon that.

7209. Do you not think it would be better to have a public Bill in a matter of that sort?—I believe all the parties that were interested were aware that an alteration was in contemplation.

7210. You think they were aware of it?—I have no doubt of it.

7211. Mr. *Hodgson.*] Were notices publicly given?—Yes.

7212. You stated just now that you thought it unnecessary to take dues from vessels that are now exempt; was that answer grounded upon the fact that your income is sufficient for your annual expenditure?—Yes.

7213. But you have a considerable debt, have you not?—Yes.

7214. Which can only be paid out of certain surpluses?—Yes.

7215. Do you not think it important to diminish that debt by degrees, and pay it off?—I think we shall diminish it, and pay it off.

7216. You have a surplus of income over expenditure already, I think?—We have not, at present; but we shall have.

7217. Have you not a surplus of actual income received during the year, over the actual expenditure of the year?—For the last year, do you mean?

7218. For the last two or three years?—No, not for the last two or three years; but having completed most of the public works which we think necessary for the improvement of the river and the convenience of the public, we shall not have much to pay for new works.

7219. Then, you will have a surplus?—We shall; and we shall be able to pay off the bonds, and, I hope ultimately to reduce the dues?—I do not think that any augmentation of the Conservancy Fund is necessary, whether there should be an equalisation, whether parties should pay who now do not, and whether those who pay should pay less, is a matter with which I have nothing to do.

7220. You have stated your perfect satisfaction with the working of the Board over which you preside?—I am perfectly satisfied with it.

7221. Supposing that the present Board was defunct, and you were called upon to organise a new one, should you think it advisable to place a large proportion of citizens upon that Board, as citizens?—It is difficult to give an answer to that question. If there were no Board, and I had to suggest a constitution for a new one, I should have very great difficulty in suggesting it; there are so many interests involved, in a district of 80 miles, extending from Staines to Yantlet; the interests are so various that really it would be difficult to say what constitution should be adopted that would satisfy all parties, or which should reasonably satisfy all parties.

7222. I am speaking of the organisation of a Board that would do the duty with the greatest efficiency; would it occur to you to constitute a Board with the municipal element representing the majority at that Board?—I would have some good men of business on the Board, and I do not know where I should go for better men of business.

7223. Would you think it advisable to have the shipping interest represented at the Board, as the shipping interest, the owners of ships?—I really think not; not as owners of ships. I would have as wide a constituency as I could get. I would not have trade representation.

7224. Will you tell me the source from which the greatest amount of revenue is received by the Conservancy Board?—The largest contributions are from the tonnage dues.

7225. Is that what I call the shipping interest?—It is paid by shipping.

7226. Do you see in that no reason why those who pay the dues should be represented fully at the Board?—As I stated to the Committee on Monday, the dues are paid by those who represent the shipowners from all parts of the world. I think I stated, that of the dues which were paid on vessels from all parts of the world, and from every part of the kingdom, only about one-fifth of the shipowners belong to the port of London.

7227. For whose interest is it most, that the bed of the river should be in the best possible condition?—For the commerce of London, and for the commerce of the country.

7228. For the shipping that use the port, is it not?—For the shipping immediately, but for the commerce of the world in general.

7229. Is it not for the interests of the shipping, that

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that is the port, that the bed of the river should be in the best possible condition?—Just as much as it is for the convenience of the omnibus or the waggons that the roads are kept in order.

7230. Then, having admitted so much, I again ask, do you not think that it is consistent with equity that the shipping interest should be represented fully at the Conservancy Board, supposing a new Conservancy Board were to be created?—I think, as I said before, that there should be a wider constituency than a mere trade constituency.

7231. Will you define the area in which that constitution should be founded?—The metropolis is greatly interested; no doubt that originally led to the Conservancy being placed in the hands of the Corporation of London, as the body most interested in the commerce of the river.

7232. Am I to gather from that, that if you were the organizer of a new Board, you would place the selection of a large proportion of the Board in the municipal body of the Corporation of London?—I certainly should place a considerable proportion in the municipal body, the parties who choose the Conservators at present, the Court of Common Council, representing the different wards of the City; there is hardly a shipowner of London who is not a voter, or who may not be a voter, and who is not or may not be if he choses, qualified for a seat in the Common Council. The representatives of those wards chose the Conservators, so that the shipowners are represented, or they may be if they choose. If they are anxious to take part in the management of the river, they have only to put themselves forward, and the Court of Common Council will be glad to have them.

7233. Mr. *Longfield.*] In your opinion, do the Common Council, from the mode in which they are constituted, represent property, commerce, numbers, and business-like habits?—There is hardly a person engaged in business in any way but has his office in the City; the very garrets in the City are now converted into offices, and all persons duly qualified may become voters; may qualify for the Common Council, and so for the Conservancy Board.

7234. Mr. *Locke.*] If they become freemen?—They may become freemen by taking the trouble to walk to Guildhall.

7235. Mr. *Longfield.*] Is it not the fact, that the municipal body, from the mode of their constitution, represent most efficiently commerce, property, intelligence, and numbers?—Yes.

7236. Is that very much better than a mere trade or shipping interest, which would only represent the interests of one particular part?—I think so.

7237. And that particular part only supplies the shipping to the amount of about one-fifth, is that so?—Yes.

7238. Therefore, in truth, the nominated portion of the Board represents more wide interests and more varied interests, than a mere trade interest selected by shipowners and others?—I think so.

7239. Because, as I have said, and you can contradict me if it is not so, the municipal portion of the Board represents persons selected for their business-like habits, intelligence, commerce, and numbers?—Yes.

7240. Mr. *Lindsay.*] The principal source of your revenue is derived, I understand, from tonnage dues levied on shipping?—Yes.

7241. Do you think it right that the heaviest portion of the taxation should fall on the private owners, because they are directly interested in the improvement of the river?—I think it is a reasonable mode of obtaining a fund for the improvement of the river.

7242. It is any easy mode?—Yes, it is an easy mode, and an inexpensive mode; I mean as far as cost of collection goes.

7243. But are not barge owners and wharfingers very much interested directly in the state of the river?—No doubt, but not to the extent that the owners of vessels are, vessels that draw much water, large ships; very little dredging or outlay is required for the convenience of barges.

7244. But they are interested in the keeping of the river in good working order, I suppose?—Yes.

7245. And that it should be kept as clear as possible?—Just so.

7246. That being so, why should you relieve them from taxation?—They are not taxed, and they have not been taxed.

7247. For what reason?—I presume it was not considered necessary.

7248. Because you raised sufficient revenue by your tax on shipping without having recourse to that?—We raised sufficient from other sources.

7249. Are the landowners along the banks of the Thames not very much interested in the improvemens of the river?—They are interested in the maintenance of the banks, and in the river as a highway.

7250. They are not taxed, are they?—No; they are taxed to this extent, that they must maintain their banks.

7251. Do you think it would not be just that they should bear a portion of the taxation?—It is not necessary.

7252. How is it not necessary for the same reason that you gave before that you received sufficient revenue from shipping without?—From shipping and other sources.

7253. You referred to charges on steamers which you had power to levy, but which you do not levy?—No, we have no power to levy any tax on steamers.

7254. You sought for powers to levy a tax on steamers, did you not, by a Bill which was introduced and afterwards withdrawn?—In the Conservancy Bill of 1857, as it was introduced, the promoters sought for powers to tax the river steamers.

7255. And that was refused?—It was withdrawn.

7256. Are you still of opinion that they ought to bear a portion of the tax?—It is a matter of opinion. I can only give you again the same answer that more money is not needed; it would not of course be unjust to spread the taxation over all the parties interested.

7257. Would it not be much more just to spread taxation over all the parties interested than to raise the whole amount of your revenue from one particular class of the community?—I think the tonnage dues come eventually from the community; they are paid by the ship owners; they form an item in the charge for freight, and as I said before, they form an item in the cost of the article which is eventually paid by the community.

7258. Mr. *Locke.*] What charges on steamers do you refer to which you are authorised by Parliament to make, and which you do not charge at the present moment; what amount do you charge

charge for pier dues?—The maximum is 6*d.*; we charge 3*d.* in some cases, 4*d.* in others, and where we have to keep a staff constantly, and the calls are not numerous, we charge the maximum toll, but I think only in two instances.

7259. What reason do you allege for asking for fresh powers from Parliament for taxing steamers, at the same time that you do not make the charge at the present moment, that you might make. I see by the 19th clause of the Thames Conservancy Bill which was introduced, you seek power to charge considerably larger dues from steamboats at the piers than you possess at the present time?—I am not aware of the clause in the Bill you allude to.

7260. The Conservators may take tolls from steamboats using piers, either as provided by section 53 of the Act of 1857, or according to the number of passengers; is not that so?—Yes.

7261. Mr. *Longfield.*] The arrangement, as you explained on Monday, was made for the benefit of the parties paying; there were two plans, and they might choose that which was most advantageous to them, is that so?—Yes.

7262. It gave them an option?—Yes, the less the number of passengers landed and embarked, the smaller would be the dues; it might be estimated in that way, and not by each time of calling.

7263. It was they who were to have the power, and not you?—That was our intention.

7264. Mr. *Locke.*] What can you charge for every time of calling?—Sixpence.

7265. You only proposed the same sum in this Bill, did you?—I think you will see a maximum there left in blank.

7266. "A toll of 6*d.*, or at the option of the Conservators, not exceeding the tolls following: 1*s.* for every 100 passengers." That you might charge if you choose in that way, in lieu of each time of calling; it was at your option?—Yes, it was at our option; I thought it was at the option of both parties.

7267. "Upon steam and other passage vessels which shall land or embark any passenger, at any landing place below Woolwich, a half-penny per passenger;" was it at your option to do that?—Yes.

7268. Supposing you had taken the option to charge by passengers, would you not have got a great deal more money than you get now?—I believe not; I believe it would come to just about the same.

7269. Suppose you took a halfpenny per passenger, 12 passengers would make sixpence: and you never see so few as 12 passengers on any of these boats, do you?—There are frequently less than 12 passengers at one pier; they may have more on board, but they do not pass them all out at one pier.

7270. But they all pass out at some pier or other?—Certainly.

7271. How many piers are there between Lambeth and London Bridge?—The halfpenny does not apply to the piers on this side Woolwich, I think.

7272. It is below Woolwich, you are right; it is a halfpenny per passenger at every place below Woolwich?—Just so.

7273. Mr. *Longfield.*] And at present, below Woolwich the maximum charge is sixpence?—Yes.

7274. Mr. *Locke.*] What piers of yours are there below Woolwich?—Only one, at Greenhithe.

7275. *Chairman.*] In the Bill which was before Parliament at the commencement of the present Session, promoted by the Conservancy Board, I see that you contemplated some compensation to the members of the Board, who gave so much time and assiduous labour to the public service; upon what grounds did you make that provision?—We had at the Board some gentlemen who had to reside near London, at considerable extra expense to themselves, in order to be near our office, that they might attend the Board regularly amongst others, those nominated by the Admiralty, the Trinity House, and the Board of Trade; and it also appeared to the Conservators that in these days, when there are so many joint stock companies worked so profitably, and the services of men of business were sought after and paid for by them, it was only reasonable that those who devoted their time to the service of the public on the river should receive some moderate amount of remuneration, hardly so much in the way of pay for services as to fairly cover any expense they might be put to in attending the Board.

7276. Mr. *Longfield.*] To induce regular attendance?—To induce regular attendance.

7277. *Chairman.* Are you yourself residing in London?—I reside principally in Kent.

7278. Do you attend the Board regularly?—Yes.

7279. Do you come from your residence in Kent for that purpose?—Frequently; I have chambers in London.

7280. Mr. *Lindsay.*] For how many years have you been at this Board?—Now, nearly six.

7281. In fact, for the whole of those six years, whilst you have been devoting a great portion of your time to the public good, you have received no remuneration sufficient to cover your expenses in attending the Board?—No, not one-tenth or one-twentieth part.

7282. Mr. *Longfield.*] But, as some compensation, you have received an unlimited amount of abuse, I believe?—We have been much abused.

7283. Mr. *Locke.*] There is a provision for a charge of 1*s.* for every hundred passengers by steam and other passage vessels which shall land or embark passengers at or above Woolwich; would not that be 12½ per cent. upon the gross earnings of the Company?—I do not know; I think not, nothing like it; that is the maximum due; the words are, "a sum not exceeding."

7284. Would not that be 12½ per cent. upon the earnings of the Company?—I do not know the earnings of the Company.

7285. Supposing you had taken the option which this clause in the Bill provides, that you shall have, namely, the option of charging 1*s.* for every 100 passengers that a boat carried, would not that have given 12½ per cent. to the Conservators of the River Thames upon the gross earnings of every steamboat?—That is, assuming that the fare shall be 1*d.* for each passenger; in many cases the fare is not 1*d.*, but 4*d.*

7286. But the words are "every place situated at or above Woolwich;" therefore, if a boat comes

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comes from Westminster Bridge, you would charge it, and those passengers that land at Hungerford, 12½ per cent. on the gross earnings of the steamboat?—With the small Citizen and Iron boats, that may be so, but it is not likely that we should charge 1 *s.* a hundred for those; but upon the Woolwich boats, where the fare is 4 *d.* or 6 *d.*, we should charge more, because they require more accommodation, and they call less frequently.

7287. Then you have the option to charge 12½ per cent. on the boats that come from all distances?—Yes, we have the power to charge 6 *d.* where we only charge 3 *d.*

7288. Having that power, what could induce you to take powers to charge 1 *s.*?—In handing in a Bill to Parliament, you must insert a maximum, something within which, you believe, you may be able to work it.

7289. And you like a large margin?—We wished to have that which would not embarrass after it was adopted.

7290. Mr. *Cave.*] What are the sand licenses above bridge?—The bed and shore of the river is vested in the Conservators of the Thames. Certain parties wish to take from the river the sand and gravel; we license parties to take away that, which is profitable to them, upon their paying a reasonable sum for permission to do so.

7291. That is from the banks?—And from the bed also.

7292. How much does that bring you in a year, above bridge?—The Crown takes one-third of it. I think the receipts are something like 800 *l.* or 900 *l.* a year.

7293. How do you spend that?—It goes to the fund.

7294. Do you know whether the Trinity House give licenses below bridge of the same sort?—Yes.

7295. What do they do with that money?—It is not handed to us; it is not spent upon the improvement of the Thames.

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Appendix, No. 1.

CONSERVATORS of the RIVER THAMES. App. No. 1.

The Lord Mayor for the City of London The Deputy Master of the Trinity House	For the time being.
Mr. Alderman Hale Mr. Alderman Humphery Jonathan Thorp, Esq. Joseph Turnley, Esq. Thomas H. Fry, Esq. Thomas Dakin, Esq.	Elected by the Corporation of the City of London.
Captain Horatio T. Austin, R.N., C.B. Commodore John Shepherd	Appointed by the Admiralty.
Captain Sulivan, R.N., C.B.	Appointed by the Board of Trade.
Captain Pigott	Appointed by the Corporation of the Trinity House.

LIST of the CONSERVATORS of the RIVER THAMES, May 1863.

Name.	By whom Appointed and Elected.
The Right Hon. W. A. Rose, M.P.	Lord Mayor.
Mr. Alderman Hale „ „ Humphery Jonathan Thorp, Esq. T. H. Fry, Esq. William Rathbone, Esq. Joseph Turnley, Esq.	City of London, Common Council.
Captain William Pigott	Deputy Master of the Trinity House.
Admiral J. R. Stopford Commodore Sir F. W. E. Nicolson, Bart., C.B.	Admiralty.
Captain B. R. Baker	Board of Trade.
Captain J. F. Owen	Trinity House.

App. No. 1.

Thames Conservancy Bye-laws for the Regulation of the Navigation of the River Thames.

Thames Conservancy.

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Rules and Bye-laws for the Regulation of the Navigation of the River Thames.

The Conservators of the River Thames, in exercise of the powers and authority vested in them by the "Thames Conservancy Act, 1857," and of every other authority them hereunto in anywise enabling, do Order and Direct as follows, that is to say:

Former bye-laws repealed.

1. The bye-laws, rules, orders and regulations for the regulation, management and improvement of the River Thames, and the Navigation thereof, and for compelling vessels* at anchor or otherwise to carry or exhibit lights from sunset to sunrise, and for the government, good order, and regulation of vessels in or upon the said river, and of persons navigating the same, or using the towing-paths, piers, landing-places, or any of the locks thereof. Also for the mooring of timber, and for the government and regulation of the officers, servants and workmen in their employ, which were in existence at the time of the coming

* The "Conservancy Act, 1857," defines the word "vessel" to mean "any ship, lighter, keel, barge, boat, wherry, raft, or craft, or any other kind of vessel whatever, whether navigated by steam or otherwise;" whereas the regulations contained in "The Watermen's and Lightermen's Amendment Act, 1859," are confined to "barges, lighters, boats, and other like craft, carrying goods, wares, and merchandise," and to "passenger boats," intended to embrace any sailing boat, river steamboat, row-boat, wherry, or other like craft used for carrying passengers."

coming into operation of the said "Thames Conservancy Act, 1857," shall after these present bye-laws shall have been approved in the manner required by the said Act, and after the expiration of 30 days after the same shall have been twice published in the London Morning Papers, be and the same are hereby repealed.

Interpretation clause.

2. That in the following bye-laws the words and expressions hereinafter mentioned shall have the several meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction.

The word "person" shall include corporations, whether aggregate or sole.

The word "vessel" shall mean any ship, lighter, keel, barge, boat, wherry, raft, or craft, and any kind of vessel whatever navigated or impelled by steam or otherwise.

The word "collier" shall mean any vessel, the cargo of which shall wholly or partly consist of coal.

The word "station" shall mean any section, berth, or station for mooring or anchoring of vessels.

The word "master" when used in relation to any vessel, shall mean any person, whether the owner or not, lawfully or wrongfully having or taking the command, charge, or management of the vessel for the time being.

The word "harbour-master" shall be taken to mean and shall apply to each of the harbour-masters hereinafter mentioned, or to any person authorised by the said Conservators to assist them or to perform the duties of the said harbour-masters during the absence of any of them from any cause whatsoever.

The word "River Thames" or "River" shall mean so much of the River Thames as is between the City's stone, near the town of Staines, in the county of Middlesex, and Yenleete, in the county of Kent.

The words "in writing" applied to any document shall include documents wholly printed or wholly written, or partly printed and partly written.

Harbour-masters and their stations.

3. The harbour-masters appointed by the said conservators shall have full power and authority to perform the duties hereinafter assigned to them, and shall (in all things under the direction and subject to the orders and control of the said conservators) enforce and carry out the provisions of the said "Thames Conservancy Act, 1857," and of these bye-laws so far as to them and their said duties appertaining.

The river shall be divided into three districts, that is to say, the Upper, the Central, and the Lower, which shall be as follows:—The upper shall extend from London Bridge to East Greenwich. The central shall extend from East Greenwich to Grays. And the lower shall extend from Grays to Yenleete. One or more harbour-masters shall be appointed to each of such districts, who shall reside within the limits thereof respectively.

The harbour-masters shall obey all the orders of the conservators, and perform such special services as the conservators shall direct.

Harbour-masters, &c. not to receive gratuity.

4. No harbour-master, clerk, officer, river-keeper, waterman, or other person employed in pursuance of the provisions of the said Thames Conservancy Act, 1857, or of these bye-laws, by or under the direction of the said conservators, shall, under any pretence whatsoever, ask, demand, accept, or receive from any person or persons whomsoever any gratuity, fee, or reward of any kind or description whatsoever, directly or indirectly for anything done or omitted to be done by him in the discharge of his said duties or employment, under pain of immediate dismissal from his office or employment.

Harbour-master not to give any preference.

5. The harbour-master shall give no preference or show any favour or partiality in the mooring, unmooring, moving, removing, anchoring, laying or placing of any vessel, or in any other matter or thing regarding his duty, but shall direct the mooring or anchoring thereof in such manner as her size, draught of water, the trade wherein she is employed, and the competency of the moorings, in his fair and impartial judgment, shall require, due attention being always had by the harbour-master to the preservation of such unobstructed passage in the river as hereinafter mentioned.

Accommodation for vessels between London Bridge and Irongate Stairs.

6. The harbour-master shall provide the greatest possible accommodation between London Bridge and Irongate Stairs for vessels passing up and down the river, maintaining as far as practicable a navigable passage of not less than 200 feet.

Width of passage between Irongate Stairs and Yenleete Creek.

7. The harbour-master shall provide and maintain as far as practicable for vessels passing up and down the said river between Irongate Stairs and Yenleete Creek a navigable passage of not less than 300 feet, and where any such navigable passage shall be between a tier of vessels and the shore the space hereby allotted for any such passage shall be reckoned from the vessel in such tier which shall be nearest to the said shore to the low water mark on the said shore, and in all parts of the river where any such navigable passage shall be in the stream between tiers of vessels the space allotted for any such navigable passage shall be reckoned from the vessel, in each of the said tiers nearest to the other or opposite tier.

App. No. 1.

Number of colliers to be moored at the respective tiers.

8. The several tiers used by colliers shall be placed as near to the respective shores of the river as the depth of water will permit, and no more colliers or vessels shall be moored and distributed thereat at the same time than the number hereinafter respectively specified and allotted, that is to say—

On the South Side of the River.

Princes Stairs	upper tier	Ten vessels.
Princes Stairs	lower tier	Ten vessels.
Church Hole	upper tier	Ten vessels.
Church Hole	lower tier	Twelve vessels.
Hanover Hole	upper tier	Fourteen vessels.
Hanover Hole	lower tier	Eighteen vessels.
Mill Hole	upper tier	Eighteen vessels.

On the North Side of the River.

Cole Stairs tier		Six vessels.
Bell Wharf tier		Fourteen vessels.
Stone Stairs tier		Eighteen vessels.
Ratcliff Cross	upper tier	Sixteen vessels.

At all the said tiers or stations hereinbefore mentioned, not more than one half of the said number of vessels so allotted and specified shall be moored with their heads up the river, nor more than one-half of the said number of vessels with their heads down the river.

Ratcliff Cross, lower tier, thirteen vessels. Six vessels to be moored with their heads up the river, and seven vessels to be moored with their heads down the river.

When the whole number of vessels or colliers are placed and distributed as aforesaid the harbour-master shall distribute any other vessels or colliers at the most convenient other tiers or parts of the river, so as to preserve a free passage for all vessels of not less than 300 feet as aforesaid.

Whenever, from the size and burthen of any vessel or collier so to be moored, or from any other cause, the space occupied by such vessels or colliers shall encroach upon the free passage so as aforesaid to be kept, the number of such vessels or colliers appointed to be moored at any such tier must be reduced.

Number of colliers to be moored at the several stations.

9. No more vessels shall be placed or permitted to remain at or in the several stations for colliers below Blackwall, at one time, than the number herein respectively specified (that is to say)—

On the South Side of the River.

Station No. 1, from Blackwall Point to the Charlton Ferry in Bugsby's Hole	75 vessels.
Station No. 2, Galleons	15 vessels.
Station No. 3, Halfway Reach	24 vessels.
Station No. 4, Long Reach, from a little below Dartford Creek to near Lamb Wharf	200 vessels.
Station No. 5, from Park Chalk Wharf in St. Clement's Reach to the lower Chalk Wharf in St. Clement's Reach	35 vessels.
Station No. 6, from below the Beacon or Broadness Point to the upper side of the Northfleet Creek	75 vessels.

Station No. 7, from below the entrance of the Thames and Medway Canal to Shorn-Mead Battery on the south shore of the river, shall be an extra station for the accommodation of such colliers as cannot conveniently anchor in any of the above-mentioned stations.

The centre of each of the said stations shall be marked with a double pile and cast-iron oval plate in front thereof, stating in legible characters the number of the said station, and a stout single pile at each extremity thereof, with a smaller plate stating also the said number.

Regulations for colliers proceeding above Gravesend.

10. The master of any collier which shall come into the river before proceeding with such collier up the river, above or to the westward of Gravesend, shall obtain from the harbour-master's office at Gravesend an order signed by the harbour-master, directing the master to proceed with such collier to the station for colliers on the river, between Gravesend and Blackwall, assigned to it by the said order, and such collier shall be designated in the said order by a number; and the master shall, upon receiving such order, forthwith proceed to anchor, moor, or place his collier in the station so assigned; and such master shall also upon receiving such order forthwith write, or cause to be written, in a legible and conspicuous manner, upon each bow of his collier, in figures of not less than one foot in length, and of a proportionate width, the number by which such collier is so described in the order, and he shall keep the said figures so legibly written upon each bow of such collier until it shall be unloaded or discharged; and no collier shall be removed from the station which shall be so assigned to such vessel without permission in writing for that purpose first obtained from and signed by the harbour-master, or other person by the Conservators duly authorised in that behalf, unless such vessel shall proceed direct to a dock, canal, creek, or wharf to discharge.

11. Where

11. Where any collier shall have been duly permitted as aforesaid to remove from any such station which shall have been so first assigned to such collier as aforesaid to any other station, or from any station to which such collier shall have been duly removed to any other station, the master of such collier shall, upon receiving any such order to remove, forthwith with his said collier proceed to and anchor, moor, or place his said vessel in the station appointed for or assigned to his collier in such last-mentioned order for removal as aforesaid; and every such collier shall remain at such altered station until the said collier shall be unloaded or discharged, or duly permitted to remove to some other station as aforesaid.

As to removal of vessels.

12. Whenever it shall seem expedient to the harbour-master for the lower district that no more colliers should for the time being proceed above or to the westward of Gravesend, he shall cause a flag or lamp to be conspicuously exhibited, and kept so exhibited, at the Lower Hope Point on the south side of the river, in such manner that the master of any collier coming up the river may be afforded a reasonable time to moor and anchor his vessel at such last-mentioned station as aforesaid, and no collier shall, while such flag or lamp is exhibited, proceed higher up the said river than the said station No. 7, without permission for that purpose first had and obtained by the master thereof from and signed by the harbour-master.

Colliers not to proceed up the river when flag or lamp is exhibited at Lower Hope Point.

13. No collier shall, under any circumstances, without an order or consent for that purpose first had and obtained from the harbour-master, remain in any of the tiers in the said river for a longer period than 15 days next after such collier shall have entered any such tier, exclusive of the day of entering the same.

No collier to remain longer than 15 days.

14. Every collier admitted into any tier in any part of the river shall go out and remove from such tier at the next succeeding flood-tide after its cargo of coals shall have been discharged, and shall forthwith proceed to such station as shall be for that purpose appointed by the harbour-master, who is hereby authorised and required, in case of any such collier not being so removed within the time aforesaid, to remove the same from such tier, and to take and place the same in such part of the river as shall be by him for that purpose deemed fit; and the expenses of so removing and placing such collier shall be recoverable from the owner or owners of the said collier, or from the master thereof, to the use of the said Conservators, in and by the same manner and means as penalties imposed by these bye-laws are recoverable.

Colliers to remove from tiers at the next flood-tide.

15. Any colliers *bonâ fide* intending to discharge coals in any dock, canal, or creek, or on any wharf in the river, shall proceed thereto for that purpose without delay.

Colliers to proceed direct.

16. No vessel shall lie at, be placed, made fast, or moored in any of the inshore passages or ferries, or upon the banks or shores of the river, so as to prevent the free transit of any other vessel: and it shall be lawful for the harbour-master forthwith to unmoor and remove, or cause to be unmoored and removed, any vessel so laid at, placed, made fast, or moored, and the amount of the charges and expenses of such unmooring and removal shall be recoverable from the owner or owners, or from the master of the said vessel, to the use of the said Conservators, in like manner as the penalties imposed by these bye-laws are to be recovered.

No vessel to be moored in inshore passages or ferries, so as to obstruct.

17. No vessel shall be anchored, moored, or placed between the tiers hereinbefore mentioned, or without the stations hereinbefore mentioned, or in any part of the navigable waterway of the river, otherwise than by the order and direction of the harbour-master.

No vessel to be anchored between the tiers or in waterway.

18. The harbour-master may give notice for the removal within a reasonable time (such time to be in the said notice specified) of any vessel which shall at any time be so moored, anchored, or placed in any part of the river as, in the opinion of the said harbour-master, shall encroach upon the free navigation of the river, to such other place as such harbour-master in his discretion shall see fit, such notice to be given to the master of such vessel, or left with the person on board thereof who shall have charge of the same, or in case there shall be no person on board the said vessel, then such notice to be affixed, and left affixed, to some conspicuous part of such vessel; and in case the same shall not be removed in accordance with the said notice before the expiration of such reasonable time, the harbour-master is hereby authorised to remove, or cause to be removed, any such vessel, and the amount of the charges and expenses of such removal shall be recoverable from the owner or owners, or from the master of the said vessel, to the use of the said Conservators, in like manner as the penalties imposed by these bye-laws are to be recovered.

For removal of vessels encroaching upon the passage.

19. No vessel shall be brought up, stopped, or placed so as to encroach upon or obstruct the free navigation of or passage on the river, nor on any vessel going into any of the said tiers, or on quitting the same and getting into the stream of the fair-way of the river, shall any anchor be let go therefrom (except for the purpose of navigating such vessel), and no part of the cargo of the said vessel shall be delivered or ballast taken in whilst the same is lying in the stream of the fair-way of the river; and the harbour-master is hereby authorised and required to remove any vessel so causing such obstruction to the navigation and fair-way of the river, and the amount of the charges and expenses of such removal shall be recoverable from the owner or owners or master of such vessel, to the use of the said Conservators, in like manner as the penalties imposed by these bye-laws are to be recovered.

Vessels obstructing passage to be removed.

App. No. 1.

As to floats or rafts.

20. No float or floats, or raft or rafts of timber, either singly or together, exceeding 60 feet in length (except timber in one length), and 20 feet in width, shall be permitted to go into or pass along any part of the stream of the river between Bugsby's Hole and London Bridge, nor shall any float or floats, raft or rafts of timber, exceeding 40 feet in width, be permitted to go into or pass along any other part of the stream of the river, nor shall any two or more floats or rafts of timber go or float abreast, nor shall more than three such floats or rafts in one body in continuous succession go into or pass along any part of the said stream lengthways, nor shall any following float or raft of timber go within the distance of 300 yards of any other such float or raft floating upon the stream of the river.

Vessels to pass singly.

21. All vessels navigating the river between London Bridge and Bugsby's Hole shall singly and separately pass along the same, except luggage boats, skiffs, wherries, or ships' boats lashed or fastened together with, or towed at the stern of any vessel, and vessels not exceeding the burthen of 10 tons, and vessels not exceeding in number six, towed by steamboats.

Course of vessels navigating Gravesend Reach.

22. All vessels navigating Gravesend Reach are to keep to the northward of a line defined by a skeleton beacon erected upon the India Arms Wharf or with the high chimney of the Cement Works at Northfleet; and all vessels intending to anchor in the Reach, are to bring up to the southward of that line. A lantern is placed on the above beacon which shows (at night) a bright light to the northward of the same line, and a red light to the southward of it, over the anchorage ground. All vessels so anchoring and remaining beyond a period of 24 hours are to be moored.

Vessels to be navigated by skilful persons.

23. All vessels navigating the river, except pleasure boats under five tons let on hire or used by the owners, shall have at least one able and skilful person authorised by the Trinity House or Watermen's Company, or in the employ of the Conservators, constantly on board for the navigation and management thereof; and all vessels of more than 50 tons burthen, if the same be loaded, wholly or in part, shall have constantly on board at least two able and skilful persons authorised as aforesaid for the navigation and management of the same. And in case of the non-compliance with this present bye-law, the harbour-master may take charge of any vessel not having a sufficient number of such persons on board as aforesaid, and may remove the same to such place as to such harbour-master may seem fit, and the amount of the charges and expenses of taking charge thereof, and of such removal, shall be recoverable from the owner, or owners, or master of the said vessel, to the use of the said Conservators, in the like manner as the penalties imposed by these bye-laws are to be recovered.

As to buoying anchors.

24. To every anchor which shall be dropped or let go from any vessel for the purpose of stopping tide or mooring in any part of the river, there shall be bent a proper and sufficient buoy and buoy rope.

As to anchors in the stream.

25. No anchor or anchors shall be suffered to lie or remain in the stream of the river outside of the line of the said tiers so as to endanger any vessel. And if any anchor or anchors of any vessel shall be so permitted or suffered to lie or remain in the stream of the river outside of the line of any of the tiers, in such a manner as, in the judgment of the harbour-master, to endanger the vessels passing up or down the river, it shall be lawful for the said harbour-master, and he is hereby required, to deliver, or cause to be delivered, on board such vessel a written notice, signed by the said harbour-master, requiring the master of such vessel forthwith to remove such anchor or anchors; and if such master shall not within a reasonable time after the delivery of such notice remove such anchor or anchors, the said harbour-master is hereby further authorised and required to remove, or cause to be removed, such anchor or anchors, and the amount of the charges and expenses of such removal shall be recoverable from the owner or owners, or master of the said vessel, to the use of the said Conservators in like manner as the penalties imposed by these bye-laws are to be recovered.

Anchors a cock bill.

26. No vessel shall navigate or lie in the river with its anchor or anchors a cock bill, except while fishing such anchor or anchors, or during such time as may be absolutely necessary for getting such vessel under weigh, or for bringing it to anchor.

Anchors hanging up by the cable.

27. No vessel shall be navigated or lie in the river with its anchor or anchors hanging by the cable perpendicularly from the hawse, unless the stock shall be awash, except during such time as shall be absolutely necessary for catting or fishing the said anchor or anchors, or during such time as may be absolutely necessary for getting such vessel under weigh.

Vessels to be slacked off if required.

28. In the loading and unloading of any vessel in any one of the said tiers in the river, when, and as often as, it may be found requisite and necessary for any vessel to lie alongside another for the purpose of receiving or delivering goods or ballast, it shall and may be lawful for the harbour-master to direct and require the master of any such vessel as aforesaid to slack off the same, and in case of non-compliance by the said master with the said direction, the said harbour-master is hereby authorised to slack off such vessel lying alongside as aforesaid.

Vessels not to be boomed off, and to be laden over the bows.

29. No vessel which shall hereafter be laid or stationed in any of the said tiers in the river shall lie or be boomed off from each other, unless when necessary, for the purpose of admitting any other vessel alongside the same as hereinafter mentioned, and every such vessel (except the outward one at each end or extremity of such tier) shall be laden over the bows thereof, and not otherwise, unless from the weight or bulk of the goods or nature of

of the merchandise, it shall be deemed by and appear to the harbour-master necessary to load or unload the same alongside, and when and so often as the harbour-master shall direct any vessel to be so loaded or unloaded, every master of any vessel so lying in the said tier as aforesaid, when required to do so by such harbour-master, shall, as speedily as possible, slack the breastfasts and moorings of his vessel for the purposes aforesaid.

As to the public moorings.

30. No private chain or chains shall be affixed to the public moorings in the river without the permission of the harbour-master first had and obtained, and if any such private chain or chains shall be affixed to the said public moorings, the harbour-master is hereby authorised to remove the same therefrom.

Vessels to be moored by rings and bridles.

31. No vessel shall be moored to the public moorings in the river otherwise than by the proper rings and bridles.

Every vessel in tier to have a bow lashing to the vessel.

32. Every vessel lying in any of the said tiers in the river shall have a bow lashing to the vessel next to it in the said tier.

Harbour-master to give directions as to the mooring of vessels.

33. The harbour-master shall give directions as to the moorings to which vessels shall be made fast, and as to the time in which such making fast shall be made and done; and if the master of any vessel shall not within the time so directed as aforesaid make fast his vessel, the harbour-master is hereby authorised and required to moor such vessel to the proper mooring, so appointed for the same as aforesaid, and the amount of the charges and expenses of so mooring the same shall be recoverable from the owner or owners, or master of the said vessel, to the use of the said Conservators, in like manner as the penalties imposed by these bye-laws are to be recovered.

When hawser to be slacked.

34. Every master of any vessel which shall be moored or navigated on any part of the river with a warp, hawser, rope or chain, or having a rope across for any purpose whatsoever, unless in the act of entering or departing from any dock, shall slack the same down on the approach of any other vessel which shall be proceeding, dropping or sailing with or against the tide.

Moorings to be slacked when required.

35. The harbour-master may order the moorings to be slacked down, or the sails to be furled, or the yards and topmasts, or any or either of them respectively, of any vessel lying or being in the said river, forthwith to be struck, whenever in the judgment of any such harbour-master it shall be proper and expedient for the safety of any vessel or vessels so to do.

Vessel to be navigated in a careful manner.

36. Every vessel shall at all times while passing on the river be navigated in a careful and proper manner, as well with regard to the safety of such vessel, as of other vessels passing and re-passing on the river.

As to mooring steam-vessels.

37. No steam-vessel shall be worked, navigated, or placed upon, or anchored or moored in the river within 360 feet of Her Majesty's dockyard or arsenal at Woolwich, or of Her Majesty's victualling-yard or dockyard at Deptford.

No steam-vessel while attached to mooring to have engines in motion.

38. No master of any steam-vessel, engineer, or other person therein shall set the engine or engines of such steam-vessel in motion during the time that such steam-vessel shall be attached to any mooring or moorings in the river.

Steam-vessels' lights.

39. Every steam-vessel, except sea-going steamers using the regulation lights, when navigating the river between sunset and sunrise, shall, while under way, exhibit the following lights:—

1st. A bright white light at the foremast, suspended at the height of not less than 10 feet from the deck, or, if there be no foremast, then such bright white light shall be suspended from the funnel at the height of not less than 10 feet from the deck, and in every case such light is to be exhibited from a globular lantern of not less than eight inches in diameter, and to show a clear uniform light at a distance of at least one mile.

2dly. A bright white light suspended from the stem, to be exhibited from a globular lantern of not less than eight inches in diameter, and to show a clear uniform light at a distance of at least one mile.

Steam-vessels' fog signals.

40. Every steam-vessel when the steam is up, and when under way, shall in all cases of fog use as a signal a steam-whistle, which shall be sounded at least every three minutes.

Master of steam-vessel to remain on paddle-box or bridge.

41. The master of every steam-vessel navigating the river shall be and remain on one of the paddle-boxes, or on the bridge of such steam vessel, and shall cause a proper look-out to be kept from the bow of the said steam vessel during the whole of the time it is under way, and shall remove, or cause to be removed, any person other than the crew who shall be on the bridge or paddle-boxes or deck cabin of such steamer.

No person to be taken on board nor leave steam-vessel whilst engine in motion.

42. No person shall be taken on board any steam-vessel navigating the said river, nor leave the same for the purpose of landing whilst the engine is in motion, nor shall the engine thereof be put in motion until any boat or wherry bringing or taking away any passenger to or from such steam-vessel shall be sufficiently clear thereof.

Steam-vessels plying on river to show places between which they ply.

43. Every steam-vessel navigating the river and conveying passengers from any landing-place to any other landing-place thereon, shall have painted and conspicuously displayed on the

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the outside of such vessel, and on each side thereof, in letters of not less than three inches in length, the names of the places between which such vessel plies.

Vessels for certain purposes to be licensed by conservators.

44. No vessel shall be used for the purpose of carrying away refuse from gas-works or other manufactories, or other liquid or solid substances of an offensive and deleterious nature, which it is unlawful to cast into the Thames, but which it may be necessary to remove by water conveyance, other than the vessels licensed by the Conservators for that purpose under their seal.

Precautions in taking in or discharging ballast.

45. No master of any vessel shall take in or discharge ballast, unless canvas or tarpaulings be affixed below the ballast port, and extend down inside the barges, so as to prevent the ballast falling into the river.

Barges to have 15 inches free board.

46. No person shall navigate any barge or lighter on the river, unless there shall be a free board of at least 15 inches.

Penalties for intoxication, &c.

47. Any master, engineer, waterman, or other person engaged in navigating any vessel in the river who shall be intoxicated while so engaged, and any person whomsoever engaged or employed on the river who shall make use of abusive or insulting language to any officer of the Conservators whilst employed in the performance of the duties of his office, or shall obstruct any such officer in the execution of his said duties, shall be deemed to have committed a breach of these present bye-laws, and shall be liable to the penalty hereinafter mentioned.

Speed of steam-vessel above Teddington Lock.

48. No steam-vessel shall be worked or navigated upon the said river between Teddington Lock, in the parish of Ham, in the county of Surrey, and Staines, in the county of Middlesex, at any greater rate or speed than at and after the rate or speed of five miles in one hour while the said steam-boat or steam-vessel is worked or navigated with the stream, or more than four miles in one hour while the said steam-boat or steam-vessel is worked or navigated against the stream.

Gravel, &c. to be taken only in places specified in license.

49. No person whatsoever shall take, or cause to be taken, any gravel, sand, earth, or other ballast or material, from the bed of the river between London Bridge and the City Stone above Staines Bridge, except in such place or places, as shall be specified and permitted to such person, by license in writing from the Conservators.

Obstructions on towing paths.

50. No person shall unload on the towing paths of the river, any sand, gravel, timber, or other material, or place any rubbish, boats, carts, or any articles whatsoever upon the said towing paths, or on the banks thereof.

Trespasses on towing paths.

51. No person shall drive any horse, cart, waggon, or other vehicles over or upon the towing paths, unless there be a public right of way, or allow cattle to pasture upon the same.

Sewerage or waste water on towing paths.

52. No person shall cause to be discharged upon, or through the towing paths, any sewerage or waste water, without the permission of the Conservators first had and obtained.

Removing stones, &c.

53. No person shall remove any stones, clay, or other material from the banks, weirs, tumbling bays, towing paths, or any other of the works of the Conservators.

Vessels not to be placed in front of towing paths.

54. No person shall place any vessel in front of the towing paths, or on the shores of the river, for the purpose of repairing the same.

Penalty for breach of bye-laws.

55. Any person committing any breach of, or in any way infringing any of these bye-laws, shall be liable to a penalty of, and shall forfeit a sum not exceeding 5 *l.*, which said penalty shall be recovered, enforced, and applied, according to the provisions of the said "Thames Conservancy Act, 1857."

The seal of the Conservators of the River Thames was this 23d day of January 1860, affixed by order.

E. Burstal, Secretary. SEAL.

I have perused the preceding rules and bye-laws for the regulation of the navigation of the River Thames, and do allow and approve of the same.

Dated the 28th day of January 1860.

William Erle.

The preceding rules and bye-laws were published in the "Times" newspaper, on the 13th and 15th days of February 1860.

App., No. 1.

Rules and Bye-Laws for the Regulation of the Navigation of the River Thames.

The Conservators of the River Thames, in exercise of the powers and authority vested in them by the "Thames Conservancy Act, 1857," and of every other authority them hereunto in anywise enabling, do order and direct as follows, that is to say:—

The 23d bye-law repealed.

1. The 23d rule or bye-law, passed under their corporate seal the 3d day of January 1860, shall, after these present bye-laws shall have been approved in the manner required by the said Act, and shall have come into force, be, and the same is hereby repealed.

Barges, and other like craft, to have one competent person to navigate same; if above fifty tons, two competent persons.

2. All barges, boats, lighters, and other like craft, navigating the River Thames between Staines and Yantlett Creek, shall, when under way, have at least one competent person constantly on board for the navigation and management thereof; and all such craft of above 50 tons burden shall, when under way, have two competent persons on board for the navigation and management of the same; and in case of non-compliance with this present bye-law, any of the harbour-masters may take charge of such craft, and may remove the same to such place as to such harbour-master may seem fit; and the amount of the charges and expenses of taking charge thereof, and of such removal, shall be recoverable from the owner or owners, or master thereof, to the use of the said Conservators, in the like manner as the penalties imposed by the bye-laws of the 3d of January 1860, are recoverable.

Gunpowder to be shipped only at certain parts of the river.

3. No vessel (except those for the Queen's service) shall ship a larger quantity of gunpowder than 25 lbs. in the said river within the limits aforesaid, except she be brought up between the two lower magazines in Half-way Reach on the south shore of the river; or at a buoy in St. Clement's Reach, which is painted red, or in the lower part of Gravesend Reach below the "Ship and Lobster;" and no gunpowder is to be taken on board any vessel whilst she is attached to or alongside of a steam-vessel.

Penalty for breach of bye-laws.

4. Any person committing any breach of, or in any way infringing any of these bye-laws, shall be liable to a penalty of, and shall forfeit a sum not exceeding 5 *l.*, which said penalty shall be recovered, enforced, and applied according to the provisions of the said "Thames Conservancy Act, 1857."

The seal of the Conservators of the River Thames was this 26th day of May 1862, affixed by order.

E. Burstal, Secretary. SEAL.

I have perused the preceding rules and bye-laws for the regulation of the navigation of the River Thames, and do allow and approve of the same.

Dated this 7th day of June 1862.

W. Erle, C. J.

App. No. 1. COPIES of CORRESPONDENCE with the Thames Conservancy Board and the President of the Board of Trade, during 1860, 1861, and 1862, on the subject of the asserted Illegality of Conservancy Bye-law 23, the same appearing to be contrary to the Conservancy Act, 1857, and in direct opposition to Clauses in the Watermen's and Lightermen's Amendment Act, 1859.

190, Tooley-street, Southwark, S. E.,
12 May 1860.

Dear Sir,

WE are instructed, by the Southwark Foreign Sufferance Wharfingers' Association, to request you to submit to the Conservators of the River Thames, that a good deal of discussion having taken place at the various meetings of this Association, in reference to the bye-laws of your Board now in force, and a very strong feeling being entertained by the members as to the restrictive and compulsory character of Bye-law 23, and it having also been brought to their knowledge that your Board have decided on exempting from the operation of such bye-law steam-vessels and yachts, it would appear, in the opinion of the members of this Association, that the goods traffic in lighters and barges is sufficiently controlled and regulated by the several clauses referring thereto contained in "The Lightermen's and Watermen's Amendment Act, 1859," and which, it is thought, will be found practically to override and to nullify the bye-law in question; and they therefore beg respectfully to submit to your Board that it will largely conduce to the public advantage, by preventing misconstruction and unnecessary interference with private interests, if the Board will be pleased to reconsider the bye-law, and to authorise that it be rescinded altogether.

We are, &c.
(signed) *Jones & Arkcoll,*
Secretaries and Solicitors.

Captain E. Burstal, R.N.,
Secretary,
Thames Conservancy Board,
41, Trinity-square, Tower Hill.

Thames Conservancy,
41, Trinity-square, Tower Hill, E.C.,
17 May 1860.

Gentlemen,

YOUR letter of the 14th instant, referring to Bye-law No. 23 of the Conservators of the River Thames, has been laid before them; and I am directed to inform you that they consider it necessary for the navigation of the river, as well as for the safety of property, that barges and lighters of 50 tons burthen and upwards, with cargoes, should have on board two persons for the navigation and management of them: they will, however, be quite satisfied with the employment of any two persons who are legally entitled to navigate such vessels.

I am, &c.
(signed) *E. Burstal,*
Secretary.

Messrs. Jones & Arkcoll,
190, Tooley-street, S.E.

190, Tooley-street, Southwark, S.E.,
Dear Sir, 18 June 1860.

ON behalf of the Southwark Foreign Sufferance Wharfingers' Association, we beg now to acknowledge your letter of the 17th ult., intimating, in reply to our letter of the 14th idem, that the Conservators of the Thames consider it necessary for the navigation of the river that "barges and lighters of 50 tons burthen and upwards, with cargoes, shall have on board two persons for the navigation and management of them." In reply thereto, we are requested to submit again to your Board, that a regulation to the simple effect named would be very much less objectionable to those members of this Association who have capital and property actively engaged in the goods traffic upon the Thames than Bye-law 23 now in force.

Our members generally would, therefore, be gratified if the Board of Conservancy will be pleased to repeal the present Bye-law 23, and re-enact in its stead a new bye-law having reference to lighters and barges only, and without any restriction whatever as to the class of persons to be employed; as this Association cannot but entertain the opinion that any such restriction goes beyond the spirit of the Thames Conservancy Act, 1857, and that, failing any special enactment under Act of Parliament, all persons are legally permitted to seek employment on the River Thames; whilst Clause 66 of the Watermen's and Lightermen's Amendment Act of 1859 already provides that no barge or lighter shall at any time be worked or navigated without being in charge of a lighterman duly licensed by the Court of the Watermen's Company, and which certainly would appear to be all that is requisite for protection of the public.

We are, &c.
(signed) *Jones & Arkcoll,*
Secretaries and Solicitors.

Captain E. Burstal, R.N.,
Secretary,
Thames Conservancy Board,
41, Trinity-square, E.C.

Thames Conservancy,
41, Trinity-square, Tower Hill, E.C.,
Gentlemen, 10 July 1860.

YOUR letter of the 18th ult., containing a proposal made by some of the members of the Southwark Foreign Sufferance Wharfingers' Association, that Bye-law 23 of the Thames Conservancy be repealed, and that in lieu thereof there be one which shall not contain any restriction whatever as to the class of persons to be employed in navigating barges and lighters, has been laid before the Conservators of the River Thames, and in reply thereto I am directed to state that the same shall receive their consideration.

I am, &c.
(signed) *E. Burstal,*
Secretary.

Messrs. Jones & Arkcoll,
Tooley-street.

190, Tooley-street, Southwark, S.E.,
Dear Sir, 13 July 1861.

We are directed by the Southwark Foreign Sufferance Wharfingers' Association again to call the attention of the Thames Conservancy Board to the fact that, as yet, we have received no definite reply to our letter to you of the 18th June 1860, on the subject of the restrictive character of your 23d bye-law.

We beg further to refer your Board to the report in "The Times" newspaper of 9th inst., of a case heard before Mr. Traill at the Greenwich Police-court, on a summons taken out against a licensed lighterman employed by a firm who are members of this Association, in which the magistrate convicted, but upon which conviction a special case is about to be stated for the opinion of the Court of Queen's Bench. As the question has been now so prominently brought forward, and we are advised by counsel that the bye-law in question is certainly invalid, inasmuch as it goes beyond the meaning of the Conservancy Act, and is also inconsistent with clauses in the Watermen's and Lightermen's Amendment Act, 1859, we would beg again to suggest that your Board should at once take steps to rescind it, or so far correct the bye-law as to bring the same within the terms and spirit of those Acts of Parliament. We would further urge upon the consideration of your Board, that as, consequently, the members of this Association have now no alternative but to carry the question into the Court of Queen's Bench, for the opinion of the Judges as to whether the monopoly of the Watermen's Company, repealed under the Act of 1859, can be legally revived and extended under the clause in the Conservancy Act empowering your Board to make certain bye-laws for the regulation and management of the river and for the government of persons navigating the same, and of the result of which application they can scarcely entertain any doubt, it would be far more agreeable to the members of this Association should the Board of Conservators at once recognise the inconsistency of the bye-law complained of, and themselves take the initiative in altering the same, as suggested in our former letters.

We are, &c.,
(signed) *Jones & Arkcoll*,
Secretaries and Solicitors.

Captain Burstal, R.N.,
Secretary,
Thames Conservancy Board,
41, Trinity-square, Tower Hill,

Thames Conservancy,
41, Trinity-square, Tower Hill, E.C.,
Gentlemen, 7 August 1861.

I am directed by the Conservators of the River Thames to inform you in reply to your letter of the 13th ult., and also with reference to your letter of the 18th June 1860, that the bye-laws were passed after a full consideration of the same, and that they believe they work well for the benefit of the public, and that the alteration suggested by you is not necessary.

I am, &c.,
(signed) *E. Burstal*,
Secretary.

Messrs. Jones & Arkcoll,
190, Tooley-street.

To the Right Honourable the President of the Board of Trade. App. No. 1.

Meriton's Wharf, S. E., London,
Sir, 17 December 1861.

In hopes that upon further representation we may secure the interference of your department in a matter of great importance to ourselves and others, we are induced again to address you on the following subject, and trust that through you we may be enabled to obtain a just concession by the free and timely action of the Thames Conservancy Board, instead of being driven to endeavour to extort it, either by an adverse decision on the part of the Judges of the Court of Queen's Bench, or by further direct application to the Legislature.

We beg, therefore, respectfully to remind you of our letter, dated 24th February 1860, and to inform you that at that period we also addressed the Lords of the Admiralty upon the same subject, and in reply thereto, under date 19th March 1860, were instructed by their Lordships to address ourselves solely to your department.

In further explanation of this matter, we have now to lay before you the fact that, subsequently to addressing you in our said letter, and at the suggestion of Lord Portman, the Chairman of the Committee of the House of Lords which approved and passed "The Watermen's and Lightermen's Amendment Act of 1859," we placed ourselves in communication with the Thames Conservancy Board, through the medium of The Southwark Foreign Sufferance Wharfingers' Association (of which we are members), with the view of trying to induce that Board, upon fair representation, to amend the bye-law, of which we so strongly and, we think, so justly complain. We beg to submit herewith copies of the correspondence (numbered 6 to 11) which has passed, and must express our great regret that the efforts of the Association have proved so utterly ineffectual.

In submitting this correspondence we beg your particular attention to the letters dated the 12th and 17th May 1860; and we submit for your consideration that, surely, until the bye-law is revised and again published in accordance with the Act of Parliament, the Thames Conservancy Board cannot be authorised to exempt from its operation certain sections of the community at their discretion.

We beg leave also to lay before you the copy of a letter which has been addressed by the Commissioner of the Metropolitan Police to the secretary of another association of which we are members, under date the 2nd instant, and which we think has an important bearing (in the 3rd paragraph) upon the subject of our complaint. Such unquestiouable evidence should certainly be sufficient to establish the principle for which we are striving—viz., that master-lightermen, who are held responsible for the safe transmission of goods carried by their lighters, should be permitted to select their own servants from any class of persons whom they may think competent and trustworthy; at all events, so far as regards the operation of the Thames Conservancy Act, 1857.

We may now proceed to state that no active measures having been taken, either by the Thames Conservancy Board to enforce compliance with their bye-law, or by informers desirous to reap the advantage of the monopoly in their favour which the bye-law attempts to establish, until quite recently, the question in dispute has hitherto remained in abeyance.

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On the 5th July last, however, one of our servants was summoned before the presiding magistrate at Greenwich, for an infringement of the said bye-law, and convicted, whereupon we instructed our solicitors to give notice of appeal on the ground of the asserted illegality of the bye-law; and a case has been stated (Arnold *v.* Young) for the opinion of the Court of Queen's Bench, and which we anticipate will be argued in January next. This appeal we beg most respectfully to urge upon your serious attention (and we do so the more earnestly, as we are aware that your Board is officially represented at the Board of Conservancy by holding the appointment of one of its members), cannot definitively settle the dispute, excepting the judges decide upon quashing the conviction; as in the event, which would hardly appear probable, of the decision of the Court being unfavourable to the appeal, a further effort will be made, in the ensuing Session of Parliament, to bring the matter before the House of Lords, as the branch of the Legislature whose intention, as supposed to have been expressed in the various clauses of The Watermen's Act, 1859, is nullified by the action of the members of the Thames Conservancy Board, although such Board was heard on the Bill before their Lordships' Committee, and expressed their entire approval of its various clauses, which were not subsequently subject to the least alteration in passing the House of Commons. Should we, however, succeed in establishing the illegality of the bye-law, the effect will be to place the Thames Conservancy Board, as a public body, in a very improper position, and one in which, as private traders, we would very gladly avoid.

With the view of putting this matter as clearly before you as we are able, we may mention that we were informed, in the spring of 1860, that the bye-laws were drawn up and submitted for the approval of Mr. Justice Erle in January 1859, at which period the Watermen's Act of 1821 was then unrepealed, although they were not returned approved until the latter part of the year, within which interval the Watermen's Act of 1859 was passed; and we imagine the oversight of this circumstance is the explanation of the discrepancy between the latter Act of Parliament and the bye-law complained of. As additional proof also of the singular character which attaches to the Thames Conservancy bye-laws, we desire to state to you that a Bill was introduced to the House of Commons by Sir George Lewis, in July 1859, and subsequently withdrawn, in which authority was applied for to enable the Board of Conservancy to compel the licensing of certain lighters or other vessels; and although such power was not obtained by the passing of the Bill referred to, the same is now assumed by the Thames Conservancy Board under their Bye-law No. 44, and which certainly would appear to be very extraordinary. Under these circumstances, Sir, we urgently ask for the attention and consideration which your department usually accords to such questions; and as we only seek by legitimate means to free the goods traffic on the River Thames from an impolitic and unjust interference to which it is now subject, and which interference has been so directly condemned both by the Royal Commissioners in their Report on the affairs of the Corporation, and by two Committees of the House of Lords in 1859, we feel certain that we shall have your sympathy in this matter, and are sanguine that at the suggestion of your department, the Board of Conservancy may be induced to revise the bye-law in question, by the erasure of the objectionable words, "authorised by the Trinity House, or Watermen's Company, or in the employ of the Conservators," before the period arrives at which we shall be called upon to have the question argued in open court.

We have, &c.
(signed) *Barry Brothers.*

To the Right Honourable *Milner Gibson*, &c. &c. &c.,
President of the Board of Trade.

Meriton's Wharf, London, S. E.,
Sir, 15 February 1862.

Not having received any acknowledgment to the memorial we had the honour to address to your department on the 17th December last, we request permission to bring the same again under your special notice.

In doing so we desire, in support of our argument that the Conservancy bye-law of which we complain is of a character not authorised by the Conservancy Act, 1857, to draw your attention to the preamble of "The Watermen's and Lightermen's Amendment Act, 1859," which sets out as follows:—

"And whereas it is expedient that proper regulations should be made for the navigation of barges, lighters, boats, and other like craft, carrying goods, wares, and merchandise, and for the regulation of the persons employed to navigate the same."

And we respectfully submit to you that these words, contained in an Act passed two years subsequently to the Thames Conservancy Act, must be held, we think, to be conclusive that the intention of the Legislature has been to place under the control of the Board of Conservancy "the regulation, management, and improvement of the river, and the navigation thereof" under the Act 1857, whilst the goods traffic carried on in "barges, lighters, boats, and other like craft" is placed under the supervision of the Watermen's and Lightermen's Company under the Act of 1859.

We urge upon your consideration that it is most unreasonable to suppose that the Legislature would empower two public boards to carry out the same duties.

We have, &c.
(signed) *Barry Brothers.*

App. No. 1.

COPY of a Bond issued by the Corporation of London as Conservators of the River Thames.

Navigation Bond.

Know all men by these presents, that we, the Mayor and Commonalty and Citizens of the City of London, are held and firmly bound to Richard Clark, Esquire, Chamberlain of the said City, in two hundred pounds of good and lawful money current in Great Britain, to be paid to the said Richard Clark or his certain attorney, executors, administrators, or to his assigns by indorsement hereon, to which payment well and truly to be made we bind ourselves and our successors firmly by these presents, sealed with our common seal, dated this thirtieth day of September, in the fifty-first year of the reign of our Sovereign Lord George the Third by the grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and in the year of our Lord one thousand eight hundred and eleven,

Whereas the above bounden Mayor and Commonalty and Citizens, in pursuance of an Act of Parliament passed in the fiftieth year of the reign of his present Majesty, intituled, "An Act for amending, altering, and enlarging the Powers of two Acts passed in the fourteenth and seventeenth years of his present Majesty, in relation to the Navigation of the River Thames westward of London Bridge within the Liberties of the City of London, and for the further Improvement of the said Navigation," have received of the above-named Richard Clark the sum of one hundred pounds in part of the monies authorised to be raised for the purposes of the said Act of Parliament; and in consideration thereof have agreed to grant an annuity of five pounds per annum, commencing from the time, and redeemable as hereinafter mentioned. Now the condition of the above written obligation is such that if the said Mayor and Commonalty and Citizens, or their successors, do and shall, according to the true intent and meaning of the said Act of Parliament, out of the tolls and duties granted and made payable by virtue of the said Act, well and truly pay, or cause to be paid, unto the said Richard Clark, his executors or administrators, or to his assigns by indorsement as aforesaid, one annuity or yearly sum of five pounds by half-yearly payments, clear of all taxes and deductions whatsoever, except Property Tax, at or in the office of the Chamberlain of the said City for the time being, in the Guildhall of the same City, to commence and be computed from the twenty-ninth day of this instant September, the payment in respect of the first half-year's annuity to be made on the twenty-fifth day of March now next ensuing, and the subsequent half-yearly payments to be thenceforth made on the twenty-ninth day of September and the twenty-fifth day of March in every year, or within fourteen days next after each of the said days respectively, until payment or tender of the sum of one hundred pounds, with all arrears of the said annuity (if any), at the office of the Chamberlain of the said City for the time being in the Guildhall of the same City, out of the said tolls and duties, at the end of six calendar months after notice for that purpose shall be given by the said Mayor and Commonalty and Citizens, or their successors, in the "London Gazette." Then the above-written obligation to be void and of no effect, otherwise to be and remain in full force and virtue.

(The following was written across the above Document in the original:)

This bond was produced to me, Wm. Walker, one of the clerks of the Chamberlain of the City of London on the 17th day of July 1824, at the office of the said Chamberlain, pursuant to Act of Parliament of the 5th George 4th, chap. 123, and interest after the reduced rate of four pounds per centum per annum, commencing from the 25th of December 18 , in respect of the said bond. As witness my hand.

W. Walker.

The bond was produced to me, William Payne, one of the clerks of the Chamberlain of the City of London, on the 26th day of July 1845, at the office of the said Chamberlain, pursuant to Act of Parliament of the 8th Victoria, and interest after the reduced rate of three pounds ten shillings per centum per annum, commencing from the 29th day of January 1846, agreed to be accepted in respect of this bond; and it is guaranteed that no steps shall be taken for further reducing the above rate of interest of three pounds ten shillings per centum per annum until after eight years from the said 29th day of January 1846. As witness my hand.

Wm. Payne.

App, No. 1. GENERAL REPORT of the PROCEEDINGS of the CONSERVATORS of the RIVER THAMES, appointed by and under the Powers of "The Thames Conservancy Act, 1857," from the 7th of October 1857 to the 31st day of December 1858; also, an ACCOUNT of all MONIES RECEIVED and EXPENDED by the CONSERVATORS of the RIVER THAMES for One Year ending 29th September 1858.

GENERAL REPORT of the Proceedings of the Conservators of the River Thames, appointed by and under the Powers of "The Thames Conservancy Act, 1857," from the 7th of October 1857 to the 31st day of December 1858.

THE first meeting of the Conservators was held at the Mansion House, London, on the 7th day of October 1857.

The Conservators continued in their several offices during pleasure, the officers and servants who were employed by the Corporation of the City of London under the various Acts for maintaining and improving the navigation of the River Thames and of the port of London.

On the 10th of October 1857, the Conservators elected Mr. Stephen William Leach, C.E., their engineer; and on the 2d of November 1857, they elected Commander Edward Burstal, R. N., their secretary.

Pursuant to the provisions contained in the Thames Conservancy Act, 1857, the Corporation of London transferred to the Conservators the land and other property the Corporation had acquired for the maintenance and improvement of the River Thames and the port of London, and of the navigation thereof.

The Conservators have, during the 15 months ending the 31st December 1858, exercised a careful supervision of the River Thames within their jurisdiction, between Staines and Yantlet, and in the port of London, including the several works therein for the improvement of the navigation, the bed and shore of the river, and the traffic thereon.

The Conservators held their meetings at the Mansion House, London, until the 25th day of November, when they purchased a freehold house, No. 41, Trinity-square, Tower-hill, London, for 3,000*l.* This house is conveniently situated, and well adapted to transact the business of the Conservators, and as a place to hold their meetings at; it also contains offices for the secretary, the engineer, the harbour-masters, and principal collector of tolls and rents.

The office at St. Katherine's, formerly used by the harbour masters, has been sold, and the duties of the harbour masters transacted therein, have been removed to the office in Trinity-square.

For the more effective performance of the duties of the harbour masters, and the supervision of the river, and placing the several moorings, the Conservators have purchased a steam vessel at a cost of 3,250*l.*, which is well adapted for the harbour service, and has enabled the Conservators to reduce the number of harbour masters, and the expense of the harbour service.

The altered condition of the upper part of the river (caused by the removal of Old London Bridge and the dredging within the tidal influence above London, and also by the abstraction of water for the supply of the metropolis above the tidal range) rendered the reconstruction of Teddington Lock necessary. This work was commenced by the Corporation of the City of London in a most substantial manner, and the Conservators have completed it. The total cost of this work was 13,265*l.* –*s.* 3*d.*; of this sum 10,689*l.* 3*s.* 11*d.* was paid by the Corporation of London, and 2,575*l.* 16*s.* 4*d.* by the Conservators.

An additional small lock for the use of boats has also been constructed at Teddington, and found to conduce greatly to the safety and convenience of those using it.

These locks were opened for public use on the 8th May 1858.

The navigation below Teddington Lock having been rendered difficult by the inadequate depth of water, the Conservators caused a channel to be dredged through some of the most prominent shallows, from which 26,374 cubic yards of material were excavated.

The necessary repairs to locks, weirs, and towing paths have been executed; some of these are still in hand, but the limited traffic in the upper districts does not warrant a large expenditure for these purposes.

For the better accommodation of large screw steamers trading to London, dredging to a considerable extent has been executed in the Pool off Bermondsey and Rotherhithe, and 10,493 cubic yards of material have been excavated.

For the better accommodation of colliers, the bed of the river in Ratcliffe Cross middle and lower tiers has been dredged, and 20,577 cubic yards of material have been excavated.

The bed of the river off the New Shadwell entrance to the London Docks has also been dredged by the conservancy dredger, at the expense of the London Dock Company, and 9,032 cubic yards of material raised therefrom.

The following shoals in Blackwall Reach, which have long been a serious obstruction to the navigation of the larger class of vessels in the river, have been removed:—

1. The East Greenwich Shelf, which projected to mid-channel, has been reduced in width by dredging away its outer edge, from the depth of eight to that of 14 feet, and 120 feet in width, thus increasing the navigable waterway to that extent; and 2,454 cubic yards of material have been removed for that purpose.

2. The Upper Middle Ground in Blackwall Reach, which had eight feet over it at low water, has been entirely removed and reduced to the ordinary level of the adjoining bed of the river, viz., to 14 feet at low water; and 3,175 cubic yards of material have been removed for that purpose.

3. Blackwall Lower Middle Ground, over which there was a depth of nine feet, has been dredged

dredged to 12 feet at low water; the completion of this work has been deferred until the next summer.

During the last 15 months various moorings have been repaired where found necessary, and buoys replaced.

The heavy expense of the lighterage of material raised by the dredger, and of unloading and disposing of the same (whatever the quality may be), is a subject which requires the serious consideration of the Conservators.

The Trinity House alone is permitted to supply ballast to ships, and to grant licences to dredge eastward of London Bridge; the only purposes to which the material raised by the Conservators can be applied, are for embankments and brick-making, and in most cases the Conservators are obliged to pay persons to take the material.

There having been many casualties by collision in Gravesend Reach, the Conservators have, with a view to obviate a recurrence of such accidents, made arrangements for erecting conspicuous land-marks and lights, by which masters and pilots of vessels navigating that reach by day and by night may be guided with reference to the limits of anchorage off Gravesend, and the fairway channel in which their ships are to be navigated.

The Conservators have raised and removed the following wrecks:—

Steam Tug "Samson," sunk in Gravesend Reach.
Brig "Friends," sunk in Gravesend Reach.
Brig "Woodpark," sunk in St. Clement's Reach.
A wreck barge, sunk at Mill Stairs Tier.
A wreck barge, sunk in Blackwall Reach.
A wreck barge, off Victoria Dock Entrance.

And the following wrecks have been raised by the owners, at the instance of the Conservators:—

Steam tugs "Victory" and "Vanguard," sunk in Gravesend Reach.
A sailing barge, sunk at Hole Haven.
A sailing barge, sunk in Barking Reach.
A barge, sunk in Erith Reach.
Brig "Lightning," sunk in Erith Reach.
Fishing smack, sunk in Barking Reach.

The state of the river in the hot weather in the months of June and July last has been carefully considered, with a view to ascertaining the cause, and the Conservators herewith report their opinion thereon.

Prior to the 5th of June there was an unusual continuance of dry weather, during which a great amount of filth accumulated in the sewers, and the water in the river became very low. On the 5th June a heavy storm passed over London, attended with a fall of rain, amounting to nearly one inch in an hour; this completely flushed the sewers, and as it occurred at the first of the flood tide, the foul matter was carried upwards. From the absence of land water, or freshers to take it quickly seaward, it continued to oscillate between Putney and Woolwich for a considerable time, and the water so charged was subjected to an unusually high temperature; from this combination of circumstances the offensive result so much complained of was produced.

Although these causes appear to the Conservators sufficient to account for the offensive state of the river, they are aware that chemists of great eminence have attributed much of the evil to the contact of the sewage with the salt tidal water which penetrated upwards beyond its usual limits, on account of the low state of the natural stream of the river.

The Conservators are satisfied that the only remedy against the recurrence of this evil, is the diversion of the sewage of the Metropolis, and of the towns upon the banks of the Thames.

The foul state of the river, and the testimony of many fishermen as to the effect on the fishery within the last few years, as well as the apprehension generally felt relative to the health of the inhabitants near the river, have led the Conservators to prosecute the proprietors of several chemical and gas works for allowing offensive and impure matter from their factories to flow into the river.

During these efforts to detect and prevent the discharge of noxious matter directly into the river, the Conservators became aware of the fact that refuse of the most deleterious nature was passed in enormous quantities through canals and sewers communicating with the Thames; over these the Conservators have no control, and it is a matter of great regret that the exertions they have used, and the expense which has been incurred, should in this manner be to a great extent defeated, and rendered useless. The proper remedy appears to be to prevent, by statutory powers, the discharge of noxious refuse into any watercourse or sewer communicating directly or indirectly with the river.

The Conservators having in view the duties imposed upon them by the Thames Conservancy Act, have entered into contracts for the construction of two landing-places for the safety and convenience of the public embarking and disembarking to and from steam vessels, one at the south side of London Bridge, the other at Paul's Wharf Stairs.

The Conservators have licensed the erection and continuance of landing-places during pleasure at Essex-street (near the Temple), and at the Isle of Dogs.

The attention of the Conservators has been particularly directed to Battersea and Fulham Bridges, because they consider that they present the most palpable, the largest, and most objectionable obstructions to navigation with which they have to deal. The extreme narrowness of the navigable openings, their inconvenient position across the current, and their insufficient height, are the causes of frequent accident, delay, and sometimes even of loss of life. They are besides most objectionable, because they prevent the introduction of vessels employed in coasting or continental trades, which otherwise would convey their cargoes without transhipment to the upper parts of the tideway, where the Brentford Docks and Great Western Railway, and the Grand Junction Canal, would afford facilities for distribution to a most extensive inland district.

With a view to remedy these serious impediments to the trade of the river, the Conservators took the necessary steps to introduce a Bill into Parliament, empowering them to deal with the question; they much regret that this Bill, which proposed to oblige the proprietors of the bridges

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to abate the nuisances they had erected in the River Thames, was not within the Standing Orders of Parliament, and the Conservators were therefore not able to proceed with the Bill.

One of the functions which devolved upon the Conservators was the preservation of the fishery throughout their jurisdiction.

Although this is not strictly connected with the trade of the river, yet as affording the means of subsistence to some, and of recreation to the population, not only near the banks, but of the Metropolis generally, who are at liberty freely to avail themselves of it, the Conservators considered the subject to be worthy of their attention, and have made such regulations, and adopted such measures as appeared to them necessary for the preservation of the fishery; and they have reason to believe that the result has been satisfactory.

The revision of bye-laws, and a re-arrangement of the duties of the various officers, with a view to greater efficiency and economy, has occupied much of the time of the Conservators, the details of which will appear in the next annual report.

The Conservators have met for the despatch of business 149 times between the 7th October 1857 and the 31st December 1858, and have made 22 visits of inspection on the banks of the river.

There have been 43 grants for accommodation on the banks of the river, in addition to the numerous permissions to repair shores, wharves, banks, &c.

(signed by order)
Jonathan Thorp, Chairman.
Edw. Burstal, Secretary.

Dated the 6th day of June 1859.

AN ACCOUNT of Monies Received and Expended by the Conservators of the River Thames for One Year, ending 29th September 1858.

RECEIPTS.

	£.	s.	d.
To Transfer from the tonnage duty fund, 29th September 1857	5,143	4	5
– Cash on account of tonnage duty fund	19,963	3	10
– Cash on account of toll on barges	4,427	10	8
– Cash on account of rents and fines	342	2	3
– Cash on account of ballast licences	509	14	2
– Cash on account of dividends on 54,586 *l.* 3 *s.* 10 *d.*, Three per Cents. Reduced	1,589	16	6
– Cash on account of dividends on 28,226 *l.* 7 *s.* 6 *d.* New Three per Cents.	822	1	11
– Cash on account of water and canal companies	1,100	–	–
– Cash on account of dredging for London Dock, laying moorings at the Royal Arsenal, Mill Wall, and the reimbursement of expenses in raising and removing wrecks	1,329	19	–
– Cash for sale of house at St. Katherine's	872	17	–
£.	37,100	9	9
Balance £.	4,762	4	5

EXPENDITURE.

	£.	s.	d.
By Interest paid on navigation bonds, 130,900 *l.*, 3½ per cent.	4,581	10	–
– Salaries, secretary's office	836	7	7
– Salaries, engineer's office	835	–	–
– Salaries to harbour masters, superintendent of moorings, and river keepers	2,135	–	–
– Salaries to collectors of tonnage dues, tolls, and rents	597	5	–
– Pensions	518	18	–
– Wages to watermen, workmen, and others employed in the harbour and mooring service	6,640	9	–
– Cash to tradesmen for raising wrecks, stores, repairing lighters and boats, lighterage of ballast, rents, rates, &c.	4,297	13	11
– Wages to lock keepers	251	12	6
– Wages to labourers and watermen employed in the improvement of the river and the repair of locks	5,424	15	–½
– Cash to tradesmen for materials for building new lock at Teddington, stores, coals for steam dredger, stationery and furniture for engineer's office	1,873	2	10½
– Expenses of sale of house at St. Katherine's	45	16	2
– Cash to tradesmen for furniture and stationery for office, Trinity-square	412	9	4
– Cash to tradesmen for collector of tonnage dues, and the receiver of tolls	59	3	8
– Purchase of freehold house, Trinity-square	3,286	6	11
– Travelling expenses, and expenses on surveys	303	2	6
– Donation to Thames Church Fund	26	5	–
– Sundry expenses incurred by river keepers	3	7	5
– Petty cash account, wages to housekeeper, postage, and sundry disbursements	210	–	5
	32,338	5	4
By Balance carried down	4,762	4	5
£.	37,100	9	9

We hereby certify that the above is a correct account of the receipts and application of monies which have been received by the Conservators of the River Thames, for the year ending 29th September 1858.

Jonathan Thorp, Chairman.
Edwd. Burstal, Secretary.

CAPITAL ACCOUNT.

ASSETS.

	£.	s.	d.
To Stock, Reduced Three per Cents.	54,586	3	10
– Stock, New Three per Cents.	28,226	7	6
£.	82,812	11	4

LIABILITIES.

	£.	s.	d.
Borrowed on the security of the tolls on the navigation of the river westward of London Bridge, interest, 3½ per cent. per annum (navigation bonds)	130,900	–	–

App. No. 1. GENERAL REPORT of the PROCEEDINGS of the CONSERVATORS of the RIVER THAMES, appointed by and under the Powers of "The Thames Conservancy Act, 1857," from the 1st day of January 1859 to the 31st day of December 1859; also, an ACCOUNT of MONIES RECEIVED and EXPENDED by the CONSERVATORS of the RIVER THAMES for One Year, ending 29th September 1859.

GENERAL REPORT of the Proceedings of the Conservators of the River Thames, appointed by and under the powers of "The Thames Conservancy Act, 1857," from the 1st day of January 1859 to the 31st day of December 1859.

THE Conservators have during the year ending 31st December 1859 exercised a careful supervision of the River Thames within their jurisdiction between Staines and Yantlet, and in the Port of London, including the several works therein for the improvement of the navigation, the bed and shore of the river, and the traffic thereon.

The several locks, weirs, and towing paths have been kept in an efficient state, and the requisite facilities given to the trade on that part of the river within the jurisdiction of the Conservators westward of London Bridge.

The weir at Moulsey having fallen into a very dilapidated condition, threatening by its failure, which was imminent, to cause great obstruction to the navigation, has been almost entirely reconstructed in a substantial manner.

On the 11th August the centre arch of the bridge, which crossed the river at Walton, fell, leaving the arches on either side in a dangerous condition. For the safety of the navigation and to prevent the injury to the adjacent land which would have resulted on the occurrence of land waters, the ruins of the bridge were removed from the river, and the two dangerous arches taken down by the Conservators, the expense of which has been repaid by the proprietor of the bridge.

The following shoals, which impeded the navigation, have been removed by dredging:—

A bank off the entrance to the Brentford Docks: the Dock Company have repaid the expense.

A shoal which obstructed the entrance to the Grand Junction Canal at Brentford has been removed.

The extensive shoals off Horsleydown, in the Pool, have been removed, which enables the steam vessels in the tiers off that place to lie afloat at low water.

The shoal off Limehouse, known as the Limekiln Shoal, and which has long been an obstruction to the navigation, has been partly removed, and the work is still in progress.

The middle grounds in Blackwall Reach, which were unfinished last year, have been entirely removed to an uniform depth of 14 feet at low water, and the same operation has been extended to a shoal off Blackwall, which was a great impediment to the navigation.

One of the most formidable obstructions to the navigation, viz., Ham Shelf, in Woolwich Reach, has been removed, and now there is a depth of 13 to 14 feet at low water, where there was only from 5 to 9 feet.

The steam-boat landings at the Surrey side of London Bridge, and at Paul's Wharf Stairs, which were commenced at the latter end of 1858, have been completed; the traffic over them is very extensive, and they are found to afford great convenience to the public.

New causeways have been constructed, and others have been repaired at the public landing places on the river.

The various moorings have been repaired where found necessary, and buoys replaced. The mooring chains, when found defective, have been replaced by new chains, subjected to a proving test of 100 tons, and all the chain in store has been similarly tested; and that portion which has not stood the required test, has been disposed of, and new proved chain substituted.

A beacon, for the convenience of navigating clear of Black Shelf, has been erected at West Thurrock.

A beacon, surmounted by a lantern, has been erected at Northfleet, for the purpose of defining the limits of the anchorage, and for the guidance of persons navigating vessels in Gravesend Reach.

The Conservators have caused to be raised or removed the following wrecks:—

"Sea Drift," brig, Sea Reach.
"Greek Slave," brig, Barking Reach.
"Swainson," brig, Grays.
"Albatross," yacht, Gravesend.
"Lord Teignmouth," brig, Bugsby's Reach.

In front of Lambeth Palace the irregularities of the shore which formed receptacles for large quantities of mud, have been filled up with clean gravel, with the intention of trying whether by the formation of the shores to an uniform inclination, the deposit of mud might be prevented. This experiment, as far as it has been carried out, is quite successful.

The Conservators have met for the despatch of business 125 times during the year, and have made 37 visits of inspection on the banks of the river.

There have been 55 grants for accommodation, in addition to the numerous permissions to repair shores, wharves, banks, &c.

(signed) *Jonathan Thorp*, Chairman.

Edw. Burstal, Secretary.

Dated this 23d day of April 1860.

AN ACCOUNT of Monies Received and Expended by the Conservators of the River Thames for One Year, ending 29th September 1859.

RECEIPTS.	£.	s.	d.
To Balance brought forward, 29 September 1858	4,762	4	5
– Cash received for tonnage dues	19,992	4	11
– Cash received for tolls	4,076	1	–
– Cash received for pier dues	819	12	8
– Cash received for rents and fines	4,844	3	2
– Cash received for ballast licences	545	4	9
– Cash received for fishing licences	–	6	–
– Cash received for dividends, 54,586 *l.* 3 *s.* 10 *d.* Three per Cents. – Cash received for dividends, 28,226 *l.* 7 *s.* 6 *d.* New Three per Cents.	2,432	12	6
– Cash received for reimbursement of expenses in laying moorings off Deptford, for the "Great Eastern"	462	19	10
– Cash received for raising and removing wrecks, lighterage, and sale of old material	2,392	10	7
– Cash received for interest on bankers' balance	65	3	4
– Sundry small payments for hire of tackle, &c.	2	10	–
– Fees on assessments made by assessor	80	12	6
– Cash received from Police Courts' Fines inflicted on offenders	55	10	–
£.	40,531	15	8
To Balance brought forward £.	350	18	1½

EXPENDITURE.	£.	s.	d.	£.	s.	d.
By Salary to secretary and clerks	1,033	5	8			
– Furniture and stationery for office, Trinity-square	258	16	3			
– Wages to housekeeper, messenger, postage, rates, taxes, coals, &c.	460	2	3½			
– Brokerage and auctioneer's charges	79	8	1			
				1,831	12	3½
– Salaries to engineer, surveyor, draughtsmen and clerk	1,322	12	6			
– Stationery and furniture for engineer's office, and expenses	60	5	8			
				1,382	18	2
– Salaries to harbour masters, station clerks, wages to workmen and crew of steam vessel, rents, taxes, &c. on offices				4,646	6	6
– Salary to foreman of moorings, wages to workmen employed in lighters, and at port of London wharf				1,562	14	6
– Wages to masters and crews of "Simpson" and "Turnley" dredgers, and repairs to vessels				2,647	5	–
– Lighterage of ballast				1,144	15	7
– Salaries to collectors of tonnage dues, tolls, rents, and wages to lock keepers				1,590	9	–
– Salaries to river keepers, and their travelling expenses				217	17	5½
– Cash to tradesmen for stores for steam vessel and repairs to boats				668	–	–
– Balance of contract for building steam vessel				2,166	13	2
– Cash to tradesmen for chains, stores, and repairs to buoys for moorings				1,538	2	7
– Cash to tradesmen for material, and wages to labourers for repairs to locks, weirs and towing paths				2,512	8	6½
– Cash to E. Tyrrell, Esq., for expenses in obtaining and passing Thames Conservancy Act, as per provisions contained in the said Act				2,146	13	3
– Parliamentary expenses, Sessions 1858, 1859				565	3	9
– Law expenses, 1858, 1859				431	9	7
– Cash paid for raising and removing wrecks and obstructions				1,882	4	9
– Pensions				1,003	10	–
– Travelling expenses and expenses on surveys				235	12	2
– Cash paid tradesmen for repair of causeways				228	14	2½
– Cash paid tradesmen for the erection and repair of steamboat piers				6,564	17	7
– Wages to piermasters and men				458	11	8
– Lighterage of ballast, levelling and mending foreshores				47	8	8
– Interest on 130,900 *l.* Navigation Bonds				4,581	10	–
– Donation to National Schools, Strand-on-the-Green				5	–	–
– Cash paid Commissioners of Her Majesty's Woods, Forests, &c., being one-third of rents received for the year ending 31 December 1859				120	19	1½
				40,180	17	6½
By Balance carried forward				350	18	1½
£.				40,531	15	8

We hereby certify that the above is a correct account of the receipts and application of monies which have been received by the Conservators of the River Thames, for the year ending 29th September 1859.

Jonathan Thorp, Chairman.
Edwd. Burstal, Secretary.

CAPITAL ACCOUNT.

	£.	s.	d.		£.	s.	d.
To Reduced Three per Cents.	54,586	3	10	By Cash borrowed on the security of the tolls on the Navigation of the River Thames, westward of London Bridge	130,900	–	–
– ditto New Three per Cents.	28,226	7	6				
£.	82,812	11	4				

App. No. 1. GENERAL REPORT of the PROCEEDINGS of the CONSERVATORS of the RIVER THAMES, appointed by and under the Powers of "The Thames Conservancy Act, 1857," from the 1st day of January 1860 to the 31st day of December 1860; also, an ACCOUNT of MONIES RECEIVED and EXPENDED by the CONSERVATORS of the RIVER THAMES for One Year, ending 29th September 1860.

GENERAL REPORT of the Proceedings of the Conservators of the River Thames, appointed by and under the Powers of "The Thames Conservancy Act, 1857," from the 1st day of January 1860, to the 31st day of December 1860.

THE navigation of the River Thames between Staines and Yantlet has been superintended and regulated by the Conservators, with the assistance of their Harbour Masters and other officers, during the year ending December 31st, 1860.

The attention of the Conservators has been directed to the improvement of the banks and sea walls of the river; such as are under their charge, have been improved as much as was practicable, and those for the repair and maintenance of which landowners and others are responsible, have, at the request of the Conservators, been greatly improved during the year.

The public moorings in the river have been kept in an efficient state, and additional moorings have been laid where they were found to be necessary; and with the view of improving the navigation and affording additional conveniences to vessels engaged in the coal trade, the Conservators have made arrangements for laying down moorings for 125 coal ships in Bugsby's and Gallion's Reaches.

The public landing-places, steam-boat piers, locks, weirs, and towing-paths, have been repaired and maintained.

Two new steam-boat piers have been constructed and opened for public traffic: one at Wapping, near the Thames Tunnel; the other at Lambeth, opposite Lambeth Church.

The important duty of deepening the river, and removing shoals below London Bridge, has been persevered in, without intermission, during the year. The following are the results:—

The outer part of the shoal off Charlton has been removed to a depth of 14 feet at low water, where there was only about 9 or 10 feet.

The shoals which obstructed the general navigation of the river in Bugsby's Reach, off the Victoria Docks, Bow Creek, and Blackwall, have been dredged to an uniform depth of 14 feet at low water, where before there was not more than from 8 to 10 feet.

The Limekiln Shoal, referred to in the last Report, has been entirely removed from a depth of 7 feet to that of 14 feet at low water. The removal of the last-mentioned shoal, which was greatly in the way of the navigation, was a work of considerable difficulty, owing to its extent and the peculiar hardness of the material of which it was composed.

During the year, 62 vessels have sunk in the river, all of which have been raised and removed from the navigation.

Battersea and Putney Bridges still remain serious obstructions to the navigation, rendering it both difficult and dangerous, and altogether exclude from the river vessels of sufficient size for the existing traffic to the Brentford Docks.

There have been 18 grants made for embankments, and 33 for jetties, piles, and other accommodations.

Every exertion has been made to prevent persons from illegally passing poisonous and offensive matter, from chemical, gas and other works, into the Thames; and the Conservators believe that their efforts have, to a considerable extent, been successful: but whilst persons are permitted, unchecked, and with impunity, to pass filth of every noxious kind into canals and watercourses, which discharge into the Thames at every tide, anything like a pure state of the river near the Metropolis, cannot reasonably be expected.

The fisheries of the river have been carefully preserved for the reasonable use and recreation of the public. By a recent judgment of the Court of Queen's Bench, it has been decided: "That the powers of imposing penalties on, and procuring summary convictions against, persons transgressing the rules and bye-laws made for the due preservation of the fishery, and which powers were possessed by the Corporation of London, until the fishery was transferred to the Conservators, have not been passed to them by the Act of 1857; it is therefore important that they should be invested with these powers as soon as possible, and they trust that Parliament will sanction some measure for that purpose."

The Conservators have met for the despatch of business 132 times during the year, and have made 32 visits of inspection on the river.

(signed) *Jonathan Thorp*, Chairman.

Edw. Burstal, Secretary.

Dated 22d April 1861.

AN ACCOUNT of Monies Received and Expended by the Conservators of the River Thames for One Year, ending 29th September 1860.

RECEIPTS.	£.	s.	d.
To Balance brought forward, 29 September 1859	350	18	1½
– Cash received for tonnage dues	20,249	11	6
– Cash received for tolls	6,994	4	–
– Cash received for pier dues	2,138	10	6
– Cash received for water and canal companies	2,675	–	–
– Cash received for rents above Teddington	132	–	4
– Cash received for rents for accommodation	1,571	11	8
– Cash received for fines for accommodation	1,074	10	–
– Cash received for ballast licenses	655	9	11
– Cash received for fishing licenses	1	11	–
– Cash received for dividends on stock: 54,586 *l.* 3 *s.* 10 *d.*, Reduced Three per Cents. – 28,226 *l.* 7 *s.* 6 *d.*, New Three per Cents.	2,391	4	3
– Cash received for raising and removing wrecks	1,419	5	9
– Cash received for repairing moorings, lighterage, driving piles, and sale of old materials	1,227	15	9
– Cash received for assessors' fees	127	19	6
– Cash received for interest on bankers' balance	137	10	4
– Cash received from Grand Surrey Canal Company, for providing moorings rendered necessary by the construction of their new dock entrance	1,458	3	9
– Cash received for damage to craft	201	18	2
£.	42,807	4	6½

EXPENDITURE.	£.	s.	d.	£.	s.	d.
By Salary to secretary and clerk	1,080	15	5			
– Stationery and furniture for office, 41, Trinity-square	232	2	5			
– Wages to housekeeper, messengers, postage, rates, and taxes, coals, &c.	556	17	7			
– Cash paid advertising bye-laws	80	–	–			
				1,949	15	5
– Salaries to engineer, surveyor, draughtsmen, and clerk	1,784	5	7½			
– Stationery for engineer's office, and expenses	120	7	6			
				1,904	13	1½
– Salaries to harbour-masters, station clerks, wages to watermen, rent, rates, and taxes on their offices				4,712	16	3
– Salary to foremen of moorings, wages to workmen employed in mooring lighters, and at the port of London Wharf				1,996	14	7
– Wages to masters and crews of steam dredgers and repairs to vessels				2,495	14	10½
– Cash paid for lighterage of material raised by dredgers				4,363	7	10
– Salaries to collectors of tonnage dues, tolls, rents, and wages to lock keepers				1,374	16	9
– Salaries to river keepers, and their travelling expenses				223	16	8
– Cash for stores for harbour service, repairs to boats and tide gauges				719	1	8½
– Cash for chains, stores, and repairs to buoys for mooring				1,403	11	8½
– Ditto for material, and wages to labourers for repairs to locks, weirs, towing paths, causeways, and boats				4,070	9	9
– Law and parliamentary expenses, 1859 and 1860				2,410	7	11
– Cash paid for raising and removing wrecks and obstructions				1,421	10	–
– Pensions				950	4	6
– Cash paid for the erection and repairing of steam-boat piers				3,728	15	9
– Wages to pier-masters and men				889	2	3½
– Interest on 130,900 *l.* navigation bonds				4,581	10	–
– Cash for wages dredging above bridge				450	7	11
– Travelling expenses on surveys				263	9	8
– Cash paid for purchase of land				30	–	–
– Sundry donations				25	8	4
– Cash paid for assessor's fees				94	2	6
– Cash paid Commissioners of Her Majesty's Woods and Forests, being one-third of rents and fines received for the year ending 31 December 1859				752	19	11
– Ditto for ballast and fishing licenses for 1858 and 1859				353	3	6
By Balance carried forward				1,641	3	7
£.				42,807	4	6½

We hereby certify that the above is a correct account of receipts and application of monies which have been received by the Conservators of the River Thames, for the year ending 29th September 1860.

Jonathan Thorp, Chairman.

Edwd. Burstal, Secretary.

CAPITAL ACCOUNT.

	£.	s.	d.		£.	s.	d.
By Cash borrowed on the security of tolls on the navigation of the River Thames, westward of London Bridge	130,900	–	–	By Reduced Three per Cents.	54,586	3	10
				– Ditto New Three per Cents.	28,226	7	6
					82,812	11	4

GENERAL REPORT of the PROCEEDINGS of the CONSERVATORS of the RIVER THAMES, appointed by and under the Powers of "The Thames Conservancy Act, 1857," from the 1st day of January 1861 to the 31st day of December 1861; also, an ACCOUNT of MONIES RECEIVED and EXPENDED by the CONSERVATORS of the RIVER THAMES for One Year, ending 29th September 1861.

GENERAL REPORT of the Proceedings of the Conservators of the River Thames, appointed by and under the Powers of "The Thames Conservancy Act, 1857," from the 1st day of January 1861 to the 31st day of December 1861.

App. No. 1.

THE navigation of the River Thames between Staines and Yantlet has been superintended and regulated by the Conservators, with the assistance of their Harbour Masters and other officers, during the year ending December 31st, 1861.

The public moorings and buoys throughout the river have been kept in an efficient state.

Mooring have been placed for colliers in Bugsby's, Woolwich, and Galleon's Reaches; by this arrangement not only is the space for navigation kept clear, but mooring accommodation is given to 45 more vessels waiting for the market than formerly could anchor in this part of the river.

The dredgers have been constantly employed, during the whole of the year, in deepening and improving the channel of the river. The principal operations have been upon the Whiting Shoal in Limehouse Reach, on the north side of the river opposite Ratcliffe and Wapping, and in Bugsby's Reach.

The Conservators have placed a steamboat pier at Cherry Garden Stairs, Bermondsey, which has proved to be a great public convenience.

Arrangements have been made and contracts entered into for the construction of two piers on the north side of the river near London Bridge, which the Conservators believe will afford such accommodation as the important traffic at that part of the river demands.

The Conservators have purchased Greenhithe Pier for the use of the public.

All the steamboat piers, public landing-places, locks, weirs, and towing-paths under the care of the Conservators, have been well and sufficiently repaired and maintained.

Every effort has been made to improve the condition of the water of the river. The discharge of poisonous matter from gas and other works, they believe, has been considerably checked by the vigilance of their officers, and the prosecutions they have felt it their duty to institute against persons offending.

There have been 64 vessels sunk in the river during the year, all of which have been raised and removed.

There have been 20 grants made for embankments, and 28 grants for jetties, piles, and other accommodations.

The Conservators have held 159 meetings for the despatch of business during the year.

(signed) *Jonathan Thorp*, Chairman.
E. Burstal, Secretary.

Dated 28th July 1862.

AN ACCOUNT of Monies Received and Expended by the Conservators of the River Thames for the Year ending 29th September 1861.

RECEIPTS.

	£.	s.	d.
To Balance brought forward, 29th September 1860	1,641	3	7
– Cash received for tonnage dues	21,015	5	4
– Cash received for tolls	5,407	5	7
– Cash received for pier dues	2,695	10	6
– Cash received for water and canal companies	2,450	–	–
– Cash received for rents above Teddington	82	2	–
– Cash received for rents for accommodation	1,251	14	6
– Cash received for fines for accommodation	661	–	–
– Cash received for ballast licenses	716	–	–
– Cash received for fishing licenses	1	6	–
– Cash received for dividends on Stock: 54,586 *l.* 3 *s.* 10 *d.* Reduced Three per Cents. – 28,226 *l.* 7 *s.* 6 *d.* New Three per Cents.	2,380	17	4
– Cash received for raising and removing wrecks	207	8	1
– Cash received for repairing moorings, lighterage, driving piles, and sale of old materials	1,210	12	11
– Cash received for assessor's fees	38	17	–
– Cash received for interest on banker's balance	147	15	6
– Cash received for damage to craft	35	11	11
– Cash received on account of law and parliamentary expenses	142	5	10
– Balance	2,390	16	4
£.	42,475	12	5

EXPENDITURE.

	£.	s.	d.	£	s.	d.
By Salaries to secretary and clerks, 41, Trinity-square	1,208	18	1			
– Stationery and postages for secretary and clerks	139	7	5			
– Wages to housekeeper, messengers, rates and taxes, coals, &c.	514	1	–			
– Fittings and repairs to office	429	18	11			
				2,292	5	5
– Salaries to engineer, surveyor, draughtsmen, and clerks	2,012	10	9			
– Stationery for engineer's office, and expenses	215	3	1			
				2,227	13	10
By Salaries to harbour-masters, station-clerks, wages to watermen, rents, rates and taxes on offices, and repairs to boats				4,942	1	2
– Salary to foreman of moorings, wages to workmen employed in lighters, and at the Port of London Wharf				1,933	15	8
– Wages to masters and crews of steam dredgers, and repairs to vessels				2,689	9	1
– Cash paid for lighterage of material raised by dredgers				3,247	14	5
– Salaries to collectors of tonnage dues, tolls, rents, and wages to lock-keepers				1,356	9	11
– Salaries to river-keepers, and their travelling expenses				225	9	2
– Stores for harbour service				513	12	10
– Cash for stones, screws, chains, and repairs to buoys for moorings				5,358	7	–
– Cash for material, and wages to labourers, for repairs to locks, weirs, towing-paths, and causeways				4,112	9	2
– Cash for law and parliamentary expenses, 1860 and 1861				745	13	9
– Cash for raising and removing wrecks and obstructions				506	8	4
– Cash for pensions				989	1	4
– Cash for the erection and repairing of steamboat piers				3,065	2	9
– Cash for wages to piermasters and men				1,478	12	10
– Cash for interest on 130,900 *l.* Navigation Bonds				4,581	10	–
– Cash for wages dredging above-bridge				62	19	5
– Cash for travelling expenses on surveys				305	1	2
– Cash for sundry donations				102	8	3
– Cash for assessor's fees				72	15	–
– Cash for Commissioners of Her Majesty's Woods and Forests, being one-third of rents and fines received for the year ending 31 December 1860				926	17	1
– Cash, being one-third of arrears of rent, from 31 December 1853 to 29 September 1857				547	2	8
– Cash, being one-third of ballast and fishing licenses for 1859 and 1860				192	12	2
£.				42,475	12	5

We hereby certify that the above is a correct account of receipts and application of monies which have been received by the Conservators of the River Thames, for the year ending 29th September 1861.

Jonathan Thorp, Chairman.

E. Burstal, Secretary.

CAPITAL ACCOUNT.

	£.	s.	d.		£.	s.	d.
By Cash, borrowed on the security of tolls on the navigation of the River Thames westward of London Bridge	130,900	–	–	By Reduced Three per Cents.	54,586	3	10
				– Ditto New Three per Cents.	28,226	7	6
£.	130,900	–	–	£.	82,812	11	4

App. No. 1. GENERAL REPORT of the PROCEEDINGS of the CONSERVATORS of the RIVER THAMES, appointed by and under the Powers of "The Thames Conservancy Act, 1857," from the 1st day of January 1862 to the 31st day of December 1862; also, an ACCOUNT of MONIES RECEIVED and EXPENDED by the CONSERVATORS of the RIVER THAMES for One Year, ending 29th September 1862.

GENERAL REPORT of the Proceedings of the Conservators of the River Thames, appointed by and under the Powers of "The Thames Conservancy Act, 1857," from the 1st day of January 1862 to the 31st day of December 1862.

DURING the year ending the 31st December 1862, the Conservators have continued to exercise the needful control over the river within the limits assigned to them by Parliament, and they have maintained the existing works, and have made such further improvements as they have been enabled to effect by the funds placed at their disposal.

The maintenance of the works has consisted in providing and laying down mooring-chains and buoys, and in repairing and preserving in an efficient state those previously in use, and in keeping up the banks, locks, and weirs in the western part of their jurisdiction.

Screw moorings, mooring-chains, and buoys have been provided, for a new set of moorings to be laid down at Gravesend, for the accommodation of troop-ships, emigrant ships, and other large vessels, and as an additional mode of keeping a clear space for the general navigation, by denoting the position to be taken up by ships which have occasion to anchor there.

In order to enable the Conservators to carry out with efficiency the dredging which the Thames Embankment Act requires them to perform, they entered into contracts for and proceeded with the construction of an additional dredging-machine, adapted not only for ordinary purposes, but also to excavate those shoals, the nature of which has been found to render it necessary to employ machinery of extraordinary power.

The Conservators have erected a steamboat landing at Allhallows Stairs, between London and Southwark Bridges, intending it to form one part of the system they have designed for the adequate accommodation of the numerous passengers who embark and land at this part of the river. Preparations were also made to proceed with a second landing of a similar character, to be projected from Old Swan Stairs. The construction of this was delayed by the proceedings in Chancery, which were taken to prevent the Conservators from completing the works. Five bills were filed by the Fishmongers' Company, the Clothworkers' Company, the Mercers' Company, the City of London Brewery Company, and Mr. Richard Thornton; but the decision of the Court was given in favour of the Conservators, and arrangements were immediately made to finish the landing-place.

The Convervators have placed a steamboat landing at Millwall, at the solicitation of a large number of the inhabitants of that locality.

The other steamboat landings belonging to the Conservators have been kept in an efficient state.

The dredging in the river generally has been carried on during the year. The Conservators have been able to deepen the water for the accommodation of the tiers of large steamers berthed above the Tower Stairs and above the entrance of the St. Katharine's Docks, to remove the spit which extended far into the river off Millbank-street, tending to cause a deposit of mud in front of the Houses of Parliament, and have deepened the water at Chelsea, to give facilities to steamboats using the river at that place.

A rigid inspection has been maintained, and such proceedings as appeared necessary have been taken, to check, as far as possible, the practice of discharging mud and other deleterious matter into the river; and for this purpose two additional men have been appointed as Inspectors of Nuisances.

There have been 55 vessels sunk in the river during the year, all of which have been raised and removed.

There have been 26 grants made for embankments, and 24 for jetties, piles, and other accommodations.

The Conservators have held 122 meetings for the despatch of business during the year.

(signed) *Jonathan Thorp*,
Chairman.

Edw. Burstal,
Secretary.

Dated 6th May 1863.

AN ACCOUNT of Monies Received and Expended by the Conservators of the River Thames for the Year ending 29th September 1862.

Dr. *Cr.*

RECEIPTS.

	£.	s.	d.
To Cash received for tonnage dues	21,520	17	–
– Cash received for tolls	5,995	19	3
– Cash received for pier dues	3,158	4	–
– Cash received for water and canal companies	2,750	–	–
– Cash received for rents above Teddington	147	17	6
– Cash received for rents for accommodation	1,340	19	8
– Cash received for fines for accommodation	1,184	5	–
– Cash received for ballast licenses	839	2	4
– Cash received for dividends on Stock: 54,586 *l.* 3 *s.* 10 *d.* Reduced Three per Cents. – 13,226 *l.* 7 *s.* 6 *d.* New Three per Cents.	2,319	–	5
– Cash received for raising and removing wrecks	39	7	9
– Cash received for repairing moorings, lighterage, driving piles, and labour, and sale of old materials	692	12	1
– Cash received for assessor's fees	78	11	6
– Cash received for interest on banker's balance	51	3	2
– Cash received for damage to craft	85	1	2
– Cash received on account of law and parliamentary expenses	17	10	9
– Cash received for sale of 15,000 *l.* New Three per Cent. Stock	13,837	7	6
– Balance	3,023	13	4
£.	57,081	12	5

EXPENDITURE.

	£.	s.	d.	£.	s.	d.
By Balance brought forward, 29th September 1861				2,390	16	4
– Salaries to secretary and clerks, 41, Trinity-square	1,230	11	–			
– Stationery and postages for secretary and clerks	100	4	6			
– Wages to housekeeper, messengers, rates and taxes, coals, &c.	525	8	2			
– Fittings and repairs to office	250	8	11			
				2,106	12	7
– Salaries to engineer, surveyor, draughtsmen, and clerks	1,960	6	4			
– Stationery for engineer's office, and expenses	178	10	8			
				2,138	17	–
By Salaries to harbour-masters, station-clerks, wages to watermen, rent, rates and taxes on offices, and repairs to boats				4,768	4	11
– Salary to foreman of moorings, wages to workmen employed in lighters, and at the Port of London Wharf				1,637	9	5
– Wages to masters and crews of steam dredgers, and repairs to vessels				2,647	19	8
– Cash paid for lighterage of material raised by dredgers				3,438	13	6
– Salaries to collectors of tonnage dues, tolls, rents, and wages to lock-keepers				1,467	10	9
– Salaries to river-keepers and inspectors, and their travelling expenses				344	7	9
– Cash for stores for harbour service				503	3	7
– Cash for stones, screws, chains, and buoys for moorings, and repairs				6,480	18	–
– Cash for material and wages to labourers for repairs to locks, weirs, towing-paths, and causeways				2,788	16	6
– Cash for law and parliamentary expenses				265	1	–
– Cash for raising and removing wrecks and obstructions				232	18	–
– Cash for pensions				912	6	4
– Cash for erection and repair of steamboat piers				12,980	10	11
– Cash for wages to piermasters and men				1,520	19	–
– Cash for interest on 130,900 *l.* Navigation Bonds				4,581	10	–
– Cash for wages dredging above bridge				127	6	11
– Cash for travelling expenses on surveys				350	4	7
– Cash for sundry donations				57	5	–
– Cash for assessor's fees				92	18	6
– Cash for Commissioners of Her Majesty's Woods and Forests (one-third of rents and fines received for the year ending 31 December 1861)				711	3	4
– Cash, being one-third of ballast licenses, 1860–61				214	14	3
– Cash on account of new dredger				4,097	1	6
– Cash for redemption of land-tax on offices, 41, Trinity-square				224	3	1
£.				57,081	12	5

We hereby certify that the above is a correct account of receipts and application of monies which have been received by the Conservators of the River Thames, for the year ending 29th September 1862.

Jonathan Thorp, Chairman.

Edw. Burstal, Secretary.

CAPITAL ACCOUNT, 29 September 1862.

	£.	s.	d.		£.	s.	d.
To Cash borrowed on the security of tolls on the navigation of the River Thames, westward of London Bridge (Navigation Bonds)	130,900	–	–	By Cash invested in the Reduced Three per Cents.	54,586	3	10
				– Ditto – dltto – New Three per Cents.	13,226	7	6
£.	130,900	–	–	£.	67,812	11	4

Appendix, No. 2.

App. No. 2.

PAPERS handed in by Mr. *Farrer*, 27 April 1863.

THAMES CONSERVANCY.

OUTLINE of the present LAW, with references to ACTS, &c.

HISTORY and State of Law of:—

1. Conservancy.
2. Ballastage.
3. Buoyage and Beaconage.
4. Watermen and Lightermen.

Each of these points is taken separately

Then, having given these separately, sum up the existing state of things.

Lastly, point out principles recommended by authorities of various kinds, and adopted by Parliament in different cases.

References.

1.—CONSERVANCY.

The Evidence of Sir J. Hall before Committee of 1836, p. xxvi of Report of Commissioners of 1854.

State of things before 1836. City of London and Conservators acting by Navigation Committee.

Jurisdiction:—

1. Above Bridge.
2. Below Bridge with Separate Funds.

Acts quoted in preamble to Act of 1857; Act of 1857, 20 & 21 Vict. c. cxlvii.

Various Acts at various times.

Report of Committee of 1836, Sess. Paper (557) 1836.

The first four paragraphs of this Report are important.

The Points chiefly referred to as requiring Amendment are:—

1. Mooring Regulations, and Rules as to Navigating the River.
2. Removal of Shoals, &c.

Second Report Municipal Corporation Commissioners, Sess. Paper (239) 1837.

This Report merely refers to Report of 1836.

1844: *see* Evidence of Pemberton, p. 305; Pearson, p. 504; before Commissioners of 1854.

1844.—Litigation between Corporation and Woods and Forests, commenced.

Previously City claimed and exercised right of licensing erections.

The money is stated to have been applied by them solely to purposes of navigation.

City of London Commission Report, 1854.

Report of Corporation of London Commission. *See* passage beginning with "The Corporation," and ending with "purpose," page xxvi.; also recommendation 20, p. xxxvii. of Report.

Agreement

References.

Agreement between Corporation and Woods and Forests, set out in Act not in Bill. Agreement, 18 December 1856, recited in Act of 1857, not in Bill.

Made with consent of Treasury. *See* recital. Board of Trade not consulted.

Effect of Agreement as follows:—

1. Suit to cease.
2. Crown to grant Soil to City.
3. City to account for rent and purchase-money arising from soil, and to pay one-third yearly to Crown, and apply two-thirds to navigation.
4. Rent and purchase-money to be in each case approved by valuer, approved by Woods and Forests.
5. Sanction of Admiralty to be necessary.

Crown grants soil accordingly. 24 February 1857, recited in Act of 1857.

Bill, afterwards Act, 20 & 21 Vict. cap. cxlvii.

For contents of the Bill, *see* Board of Trade Report on it. Parl. Paper 2—XXII., Sess. 2, 1857.

For contents of the Act, 20 & 21 Vict. cap. cxlvii., *see* the following Analysis:—

1. The Act puts an end to the suit between the Crown and Corporation, sect. 1.

2. It forms a body of Conservators, consisting of—

The Lord Mayor;
Two Aldermen, chosen by the Common Council;
Four members of the Common Council elected by the Common Council;
The Deputy Master of the Trinity House for the time being; and,

Two persons appointed by Admiralty;
One person appointed by Board of Trade; and
One person by Trinity House.

3. It provides for their mode of doing business, sects. 12 to 43. The Lord Mayor is to be Chairman, and have the casting vote, and to be also Chairman of all Committees, sects. 21, 24, 25.

4. It defines their powers:—

The Conservators have power to make bye-laws,—

For the management and improvement of the river;
For the exhibition of lights by vessels;
For the regulation of vessels and timber on the river, sects. 44 to 47. Annual reports to be made to Parliament, sect. 48 of Act.

The Conservators further have power—

To license landowners to make docks, wharves, &c., sects. 53 to 56.

To license the making of and to alter and remove piers and landing places, sect. 57.

To make, manage, take tolls for, and lease piers and landing places, sects. 59 to 66.

To enforce, alter, and lease their several tolls, sects. 67 to 77.

To appoint harbour-masters, who are to be approved by the Trinity House, as being properly qualified, sects. 78 to 84.

To give superannuations, &c., 85.

To remove sunken vessels; to remove obstructions; to place buoys and beacons; to lay down mooring chains; to repair wharves and banks; to dredge and remove shoals; and to shorten and remove bends; and to improve the river, &c., sects. 86 to 99.

To provide Humane Society's apparatus, 100.

To prevent ballast and rubbish from being thrown into the Thames; and also to prevent offensive matter from flowing into the Thames, sects. 101 & 102.

The bed of the Thames, except where adjacent to land belonging to the Crown, is vested in the Conservators, with all powers of conservancy heretofore belonging to the Crown or to the City of London, sects. 50, 51, and 52.

No works below high water-mark are to be executed without the approval of the Admiralty, sects. 105, 106, 107.

No licenses to encroach on or embank any part of the river are to be granted unless the rent or other compensation for the same is settled by a person appointed by the Conservators, and approved by one of the Commissioners of the Woods and Forests. One-third of the revenue received from such licenses, &c., is reserved to the Crown, sects. 58, and 103, 104, 108.

The Conservators are enabled to require the Trinity House, on being paid the expenses incurred to remove shoals; and to prevent the Trinity House from taking ballast in improper places, sects. 109, 110.

App. No. 2.

References.

The Conservators are empowered to purchase lands by agreement, sects. 111 to 113.

All tolls, also all lands vested in City for purposes of navigation, heretofore levied by the City of London, for the maintenance and improvement of the navigation of the Thames, and all monies received by the Conservators under the Act, are to be carried to a Conservancy Fund. Whenever there is a surplus, it is to be applied first in payment of debt, then in reduction of tolls; and if there is still a surplus, as Parliament may direct, sects. 135 to 139.

The Conservators are empowered to raise 100,000*l.* on the credit of their revenues, sects. 120 to 133. Sinking Fund, 3 per cent., sect. 134.

Provision is made for settling and auditing the accounts, sects. 114 to 119.

Annual accounts are to be laid before Parliament, sect. 163.

The Conservators are empowered to appoint a secretary, engineer, servants, &c., and to fix their salaries; to grant them extra pay for unusual services; to grant them superannuation allowances, and pensions to their widows or children; but the scale of superannuation allowances is to be subject to the approval of the Treasury, sects. 36 to 43, and 85.

Legal proceedings, special clauses, 145 to 162.

Saving clauses, 164 to 179, for the bodies, persons, &c. mentioned below:—

- Queen's Ships.
- Trinity House.
- Commissioners of Sewers.
- Board of Trade.
- Dock Companies.
- Watermen's Companies.
- Abbey Mill River.
- Commissioners of Works.
- Queen's Rights in Medway.
- Corporation's Rights in Medway.
- Duchy of Cornwall.
- Duchy of Lancaster.
- Middle and Inner Temple.
- Marquess of Salisbury.
- Regent's Canal Company.
- Trustees of River Lea.
- Rights of Owners and Occupiers of Land on the Banks of the River.
- Rights of Ferry.

The chief points to be noticed are,—

1. Constitution of Conservancy Board.
2. The Consolidated Revenues and Funds.
3. The Powers given to the Conservators.
4. Clauses 168 and 169 in the Bill, which provided for reverter of Rights to Crown and Corporation in case Act should be repealed, were struck out; possibly, as unnecessary; probably, because it was not thought right to prejudice any further and future steps which it might prove necessary to take.

Board of Trade Report, Sess. Paper, 2—XXII., Sess. 2, 1857, p. 3, "The general" to "at present."

The Board of Trade reported at length upon the Bill.

The Act shows a variety of conflicting jurisdictions:—

1. As regards Ballast, with Trinity House. *See* sects. 98, 99, 109, 110, and Ballastage Act, specially referred to below.
2. As regards Buoys and Beacons, with Trinity House. *See* sect. 88, and Trinity House powers, referred to below.
3. As regards Regulations of Craft, with Waterman's Company. *See* sects. 44 to 47, and Waterman's Act, referred to below.
4. As regards Lights and Signals, with Merchant Shipping Act. *See* sect. 44, and 17 & 18 Vict. c. 104, s. 295.
5. The Conservators cannot appoint a Harbour Master without approval of Trinity House, sect. 79.

See sects. 164 to 179.

Besides this there are the general saving clauses, the exact operation of which it is hard to foresee.

Annual reports and accounts of conservators.

Sess. Papers:
33 Sess. 2, 1859.
286 1860.
194 1861.
463 1862.

Since then, the Board of Trade officially know little except by the annual reports of the Conservators.

Note in report of Conservators of 1859, passages pp. 2 and 3, as to—

1. Buoys and Beacons.
2. Ballast.

Revenues about 40,000*l.* a year. No separation of above-bridge and below-bridge expenditure.

App. No. 2.

2.—BALLASTAGE.

References.

Granted by Elizabeth and Charles II. to Trinity House.

See Preamble to Act 6 & 7 Vict. c. lvii, Lastage and Ballastage Act, 1843.

Surplus formerly applied in charities.

Various Acts regulating the *modus operandi* repealed by 6 & 7 Vict. c. 57.

Gives monopoly of supply to Trinity House.

Fixes maximum rates.

Partial exception in favour of chalk, &c., and dung, which may be taken on payment of 1*d.* a ton to Trinity House.

Ballast imported to be unladen at expense of master into Trinity House lighters for a charge of 6*d.* a ton, and to be sold by Trinity House to other vessels.

Act to be in force for 21 years, and to end of next Session; *i. e.* to end of Session of 1864.

N.B.—Application of moneys left by Act of 1843 to old grants and charters.

Rates for ballastage carried to Mercantile Marine Fund—*see* sects. 417 (par. 3), 418 (par. 4), 419, part of 420, 428, 429, the effect being to put a stop to payments of surplus in charity, and to subject the expenditure to control of Board of Trade. Sect. 419 specifically points out how ballastage rates are to be applied.

Merchant Shipping Law Amendment Act, 1853, re-enacted M. S. Act, 1854, Part VII.

The rates for ballast-getting fixed by the Act of 1843 are—

6 & 7 Vict. c. 57, s. 7.

	s.	*d.*
Unwashed, to coal trade - - - - - - -	1	–
Washed - - - - - - - - - - -	2	–
Unwashed, to other vessels - - - - - - -	1	3
Washed - - - - - - - - - - -	2	6

These rates still continue, subject, however, to the provisions of the Merchant Shipping Act.

Ballast heaving, *i. e.* putting ballast on board, was, in and before 1853, a thing quite separate, and chiefly in the hands of publicans. The ballast heavers are an oppressed and wretched set of labourers.

By Act of 1853, re-enacted in 1854, Trinity House were enabled to undertake ballast heaving. They did so, and rates were fixed, by order in Council dated 9th March 1854—

17 & 18 Vict. c. 104, s. 419.

at 3*d.* per ton - - - for vessels with ports.
5½*d.* „ - - - - „ without ports.

The previous rates had varied from 6*d.* to 2*s.* 6*d.* On the whole, the effect was a great reduction in favour of the shipowners.

The following are accounts of receipt and expenditure for ballastage, and other returns and accounts given by the Trinity House:—

RETURN of the RECEIPTS and EXPENDITURE on account of BALLASTAGE from 1854 to 1862 inclusive.

RECEIPTS.				EXPENDITURE.			
Date.	Ballast getting.	Heaving.	TOTAL RECEIPTS.	Date.	Ballast getting.	Heaving.	TOTAL EXPENDITURE.
	£. s. d.	£. s. d.	£. s. d.		£. s. d.	£. s. d.	£. s. d.
1854	42,907 9 9	4,078 1 4	46,985 11 1	1854	36,727 9 8	6,855 – 3	43,582 9 11
1855	38,081 12 5	4,436 18 –	42,518 10 5	1855	35,723 – 2	7,644 18 3	43,367 18 5
1856	38,945 7 8	5,111 9 7	44,056 17 3	1856	32,141 14 –	8,887 10 7	41,029 4 7
1857	35,056 14 9	4,677 15 4	39,734 10 1	1857	32,435 16 1	8,388 16 7	40,824 12 8
1858	36,278 7 3	4,548 1 2	40,826 8 5	1858	31,306 5 5	8,320 4 10	39,626 10 3
1859	34,570 3 5	5,423 1 3	39,993 4 8	1859	30,447 12 10	9,285 19 4	39,733 12 2
1860	40,588 4 2	6,268 2 3	46,856 6 5	1860	31,298 13 10	10,283 – 6	41,581 14 4
1861	43,334 3 –	7,380 17 9	50,715 – 9	1861	31,975 16 3	10,871 9 1	42,847 5 4
1862	44,227 – 6	7,435 13 4	51,662 13 10	1862	32,646 15 8	10,890 14 10	43,537 10 6
£.	353,989 2 11	49,360 – –	403,349 2 11	£.	294,703 3 11	81,427 14 3	376,130 18 2

App. No. 2.

References.

RETURN of the BALLAST entered to be supplied from the Year 1854 to the Year 1862 inclusive, showing the Quantities thereof entered to be hove by the Corporation, by the Crews of Foreign Vessels, and by Publicans and others.

DATE.	Tons entered to be Supplied.	Tons to be Hove by the Corporation.	Tons to be Hove by Crews of Foreign Ships.	Tons to be Hove by Publicans and others.
1854 - - - -	596,381	276,340	69,990	250,051
1855 - - - -	539,537	317,655	40,890	180,992
1856 - - - -	532,825	350,260	28,810	153,755
1857 - - - -	487,465	322,865	37,505	127,095
1858 - - - -	500,810	316,720	49,225	134,865
1859 - - - -	491,400	364,285	44,245	82,870
1860 - - - -	549,900	423,450	57,995	68,455
1861 - - - -	574,570	467,000	44,520	63,050
1862 - - - -	565,700	465,415	41,445	58,840
TOTAL - - -	4,838,888	3,303,990	414,625	1,119,983
AVERAGE per Year - *Tons*	367,110	4,669	124,443	

REPORT from RULER of BALLAST HEAVERS, 1863 (with Enclosures relative to Sick and Provident Funds).

To the Supervisors of the Ballast Department of the Honourable Corporation of Trinity House.

Gentlemen,

IN answer to the inquiries made respecting the former and present moral and social condition of the ballast heavers under your Honourable Corporation, I beg respectfully to state that their condition previous to 1853, under the compulsory truck-drinking system, which compelled them to become drunkards in order to obtain employment, and all the other evils attendant thereon to them and their families, has so often been described that I need not here enter into detail in repeating them.

With regard to their present condition I beg to confirm the statements made in the reports which I have had the honour to submit to your Honourable Corporation, and with very great respect beg to refer you to the report made by the very Reverend Canon Champneys in January 1856 on the same subject, as well as to a petition to the Most Honourable Privy Council, which will be found at page 31 in the accompanying pamphlet.

For the last five years their average weekly earnings have been about 25 *s.* per man, and instead of being paid at a public house bar, spending the greater portion of it in spirits and beer, they now take it home to their families, and thus put their earnings to the legitimate use of purchasing food and clothing, besides educating their children.

This state of things very naturally produces comfort and happiness amongst the men and their offspring, and consequently must have a great moral influence on the working men in the locality where they reside.

I may also be permitted to mention that from the kindness of the Corporation in providing them with a waiting room, the men, at their own expense, purchase the daily and weekly newspapers and other periodicals, and while waiting for employment improve their minds by reading. From the fostering care of the Corporation also, provision is made for sickness and old age, which prevents the necessity of their becoming recipients of any parochial charity, and consequently the ratepayers are not taxed for their support.

See Preamble to Act 6 & 7 Vict. lvii, Lastage and Ballastage Act, 1843.

The above statement is but a mere summary of the benefits now enjoyed by the ballast heavers of the Port of London, which they fervently hope may be continued to them under your Honourable Corporation's protection.

With the utmost deference I beg to enclose herewith printed papers on the subject,

And have, &c.
(signed) *T. T. Flynn.*

Ballast Heavers Ruler's Office,
Narrow-street, Ratcliffe Cross, 8 April 1863.

Sick Funds supported by the Contributions of the Ballast Getters and Ballast Heavers.

App. No. 2.

The following statements show the amount expended in relief during sickness, allowances in old age, &c., &c., from the sick funds, during the years from 1854 to 1862 inclusive.

Date.	Expended from Ballast Getters' Fund.	Expended from Ballast Heavers' Fund.
	£. s. d.	£. s. d.
1854 - - - -	326 18 7	33 5 9
1855 - - - -	279 12 10	99 19 8
1856 - - - -	260 6 2	125 10 11
1857 - - - -	286 2 4	145 7 11
1858 - - - -	307 19 7	145 4 5
1859 - - - -	381 9 4	206 17 1
1860 - - - -	446 4 1	233 12 6
1861 - - - -	461 17 3	234 4 11
1862 - - - -	525 8 3	217 4 4

Provident Fund.

In consequence of the benefit derived by the ballast heavers from the loan alluded to in Mr. Flynn's Report, dated 25th May 1855, a provident fund was established, to which each man contributes 1*s.*, and each boy 6*d.* weekly; the sums so subscribed are put out to interest, and allowed to accumulate until the end of the year, and during the winter, when from severe frost, or other causes, the work is slack, and the wages consequently very low, the amount subscribed, with interest thereon, is divided amongst the men and boys in such manner as to afford them the greatest benefit.

Information on the subject of Ballast Getters and Ballast Heavers, pursuant to the request of the Lords of the Committee of Privy Council for Trade, dated 18th May 1857.

1. The number of men employed:

Ballast getters - - - - - - - - - - -	240
Ballast heavers - - - - - - - - - - -	143

2. The age and conditions under which they enter the service:

Previously to the 1st October 1853, there was no limitation in respect of age. Ballast getters appointed previously to that date are allowed superannuation allowances, and pensions are granted to their widows.

Persons under 20 years of age only are appointed as ballast getters, and under 30 years of age as ballast heavers, with the understanding that no superannuation allowances or widows' pensions will be granted.

3. The age at which they generally cease to earn wages is - - - 60.

4. Their average earnings and rate of wages:

Ballast getters' earnings are about 25*s.* 10*d.* per week; the rate of wages 1¼*d.* per ton, and ¾*d.* per ton extra for every ton delivered in dock.

Ballast heavers' earnings are about 19*s.* 6*d.* per week; the rate of wages 1¼*d.* per ton.

App. No. 2.

STATEMENT showing the Quantity of Material shipped as BALLAST, and INCOME derived therefrom, under Sects. 12, 15, and 19 of the Act 6 & 7 Vict. c. 57, from the Year 1854 to 1862, both inclusive.

YEAR.	Section 12. Chalk Rubbish at 1 *d.* per Ton.		Section 15. Dung at 1 *d.* per Ton.		Section 19. Supply to make good Deficiency at 1 *d.* per Ton.	
	Tons.	£. *s.* *d.*	*Tons.*	£. *s.* *d.*	*Tons.*	£. *s.* *d.*
1854	221,825	924 5 5	—	—	—	—
1855	177,514	739 12 10	—	—	—	—
1856	164,863	686 18 7	—	—	—	—
1857	153,881	641 3 5	60	- 5 -	—	—
1858	171,440	714 6 8	110	- 9 2	—	—
1859	212,214	884 4 6	135	- 11 3	—	—
1860	186,591	777 9 3	- -	- -	*2,581	10 15 1
1861	187,421	780 18 5	—	—	—	—
1862	202,915	845 9 7	—	—	—	—
TOTAL	1,678,664	6,994 8 8	305	1 5 5	2,581	10 15 1

* The provisions of this section were acted upon in consequence of the river and docks being blocked up by ice.

STATEMENT showing the QUANTITIES of the under-mentioned MATERIALS which have been Shipped by permission, free of Charge, and at 6 *d.* per Ton, from 1858 to 1862, both inclusive.

YEAR.	Large Stones. Free of Charge.	Rubbish, &c. At 6 *d.* per Ton.
	Tons.	*Tons.*
1858	7,065	924
1859	5,185	1,258
1860	7,272	1,611
1861	4,506	1,727
1862	9,646	2,956
TOTAL	33,674	8,476
YEARLY AVERAGE	6,735	1,695

App. No. 2.

References.

These papers show,—

1. That whilst there is a surplus on ballast getting, there is a deficiency in ballast heaving.

2. That for some years the income was only just sufficient to meet expenditure, but that it is now in excess.

3. That the Trinity House are gradually getting the ballast heaving into their hands.

4. That the condition of ballast heavers continues to improve. *See* also Papers laid before Parliament in 1855. *See* Parl. Paper 417, Sess. 1855.

5. The number, &c. of staff employed.

6. That some ballast is supplied independent of Trinity House, at 1 *d.* a ton.

7. Some little also free.

Note, that under arrangements of 1853, continued in Merchant Shipping Act, Trinity House have no interest in surplus. Ballast rates have not been reduced, because there is now a surplus; there was at first a deficiency. Note also, that the reduction made in the light dues, which form the chief part of the Mercantile Marine Fund, have been large since 1853, viz., 60 per cent.; and that at present the ordinary income is actually less than ordinary expenditure.

Note, that under Thames Conservancy Act the Conservators have power to require Trinity House to remove shoals, paying expenses also to prevent them from dredging in places where they may do harm. The Conservators have also power to dredge, but no power to sell what they get up. And the Trinity House themselves cannot dredge above Bridge without license from Conservators. See section 6 of 6 & 7 Vict. c. 57. There is here great conflict of jurisdictions. Thames Conservancy Act, ss. 109, 110, 98.

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3. BUOYAGE AND BEACONAGE.

Trinity House have, or claim, these under old Acts or charters confirmed by Merchant Shipping Act. *See* especially preamble to 8 Eliz. c. 13. *See* 8 Eliz. c. 13, and sects. 389, 396, of 17 & 18 Vict. c. 104.

Gives the then number of buoys as 65. Report of Committee on Lighthouses, 1834, p. xviii, App. p. 19.

Charge in 1834, 1 *d.* a ton on over-sea British for Thames.
Ditto - - - - - - - ditto - Foreign, 2 *d.*
Income from Thames not distinguished from that for the United Kingdom.
Surplus in 1834, 3,643 *l.*, paid in charity.
Buoys for Thames in 1845, given as 61 in number.
Surplus on all buoys and beacons in 1845, 4,505 *l.*, paid in charity.
Thames income and expenditure not distinguished. Report of Committee on Lighthouses, 1845, p. xii.

See sect. 389 of 17 & 18 Vict. c. 104, also sections 396 and 397 as to dues; also section 417, as to application of dues; also sect. 418, &c. as to disposal of, and accounting for money. Merchant Shipping Act, 1854, parts vi. and vii.

Reductions made since 1853 apply to these as well as other dues. They amount to 60 per cent., *i. e.*, when a man paid 100 *s.* in 1853, he now pays 40 *s.*

Buoyage and Beaconage in 1858: Report of Light Dues Commissioners, 1861, vol. II, p. 127.

Returns given for Midsummer quarter—

Maintenance for year - - 1,490 *l.*
Income for quarter - - - 2,835 *l.*; but, query these figures.

Some of the late reductions have since been made. Same Report, p. 133.
Number of beacons, 14 or more.
Number of buoys, not given.
Also three or four local lights.

Thames Conservancy Act contains express powers to Conservators also to buoy and beacon the Thames. 20 & 21 Vict. c. 147, s. 88.
Query, if there has been collision, and query, what is the law?

Propriety of lighting, buoying, beaconage, ballastage, and ownership, and charge of soil being in one set of hands; the limits between sea and river being first duly settled.

App. No. 2.

References.

4.—THAMES WATERMEN AND LIGHTERMEN.

Report on Thames Watermen and Lightermen Bill. Sess. Paper 80,—XV., 1859.

For state of things prior to 1859, *see* Board of Trade Report, on Bill of 1859.

The principal features of the system, were a company consisting of the registered freemen, with a governing body consisting of a master, four wardens, and 21 assistants. The governing body was partly self-elective, partly subject to the control of the Corporation of London.

The only persons who could become freemen of the Company, were persons who had duly served for seven years as apprentices to free watermen or lightermen, or to the widows of free watermen or lightermen. No free waterman or lighterman was allowed under any circumstances to have more than four apprentices; no one who owned less than 20 barges might have more than three, and no one who owned less than 12 might have more than two, and of these the second could not be taken till the first had served four years.

Persons who were not freemen, or apprentices to a freeman, or a freeman's widow, were forbidden to navigate any craft for hire on the River Thames, between Windsor and Yantlet Creek, under a penalty not exceeding 10 *l.*

Western barges, or barges from Kingston, or from any place beyond that town, were exempted from all the provisions of the Act, except those which required the names of the craft and of their owners to be painted on them, and except also those which related to regulations to be made for the government of craft on the River, by the Mayor and Aldermen of London.

Persons keeping barges, might use them to carry their own goods, provided they employed to navigate them freemen of the Company, or their apprentices. But no such person might carry goods or passengers for hire, or any goods other than their own.

Owners or lessees of laystalls, owners of chalk hoys, and gardeners might carry dung, chalk, and garden stuff without employing either barges, either belonging to freemen or free watermen. Fishermen might use their own boats, and ballast-men might use their own vessels for getting and carrying ballast.

By a Public Act. 4 & 5 Anne, c. 19, s. 18, after reciting that the Thames watermen were in the habit of absconding, and not entering Her Majesty's Service, it was enacted that if any watermen, members of the Company, should be summoned by the Admiralty to serve, and should not within ten days appear for the purpose, they should be liable to imprisonment, and deprived of their privileges as watermen. This enactment still remains in force.

By the Acts relating to Westminster Bridge, Blackfriars Bridge, and Vauxhall Bridge, compensation was given to the Watermen's Company for the loss sustained by the Sunday ferries, in consequence of the erection of these bridges; and by 8 & 9 Vict. c. 78, they were enabled to invest these funds, and the income still arising from the Sunday ferries, which it appears had greatly decreased in amount, in land or on mortgage.

Report of Corporation Commission, Sess. 1854, p. xxvi.

The Commission on the City of London reported as follows:—

"Connected with the navigation of the River, is an incorporated company, entitled the 'Master, Wardens, and Commonalty of Watermen and Lightermen of the River Thames.' This Company is regulated by Acts of Parliament, the earliest of which was passed in the time of Henry VIII.; and it is placed under the authority of the Corporation of London; but it is not one of the City Companies, and freedom of the Company does not confer a right to the freedom of the City, nor is it necessary to be free of the City in order to become free of the Company. The exclusive privileges possessed by the freeman of this Company with respect to the navigation of the river, ought, we think, to be abolished. Some protection to the public against unskilful or unfit persons plying for hire on the river, ought however to be provided, and the the issue of licenses for this purpose ought to be vested in some competent authority."

Thames Watermen and Lightermen Bill, 1859.

The principal object of a Bill introduced in 1859 was to put an end to the two monopolies in the then existing system, viz.:—

1. The monopoly which the freemen possessed of carrying goods upon the river.

2. The monopoly which the freemen and their apprentices possessed of navigating all barges on the river.

Board of Trade Report on same Bill.

The Board of Trade reported at length upon this Bill; they advocated the entire abolition of these monopolies, with a power to the Thames Conservators as the ruling power on the river, to make such regulation as might be necessary for the security of the navigation. The history of the passing of the Bill is curious, and could no doubt be given by the agents. As passed, it effects the following alterations:

22 & 23 Vict. c. 133.

Sect. 8.

The limits of the jurisdiction instead of extending from Windsor to the Medway, were to extend from Teddington Lock to Gravesend.

The governing body were made self-elective without the interference as before of the Corporation of London.

The qualifications for becoming a freeman of the Company were extended.

Instead

References.

Instead of a seven years' apprenticeship to a freeman, it now consists of—

1. Apprenticeship to a freeman or freeman's widow. These are entitled to be admitted as a matter of course.

2. Owning a barge used within the limits of the Act, and duly registered according to the Act. Sect. 61. Sects. 24, 25.

3. Holding a license under the Act.

Persons having these licenses may be admitted as freemen by the court, but unless they are, in addition to the above qualifications, apprentices, three-fifths of the court must concur in the election.

To obtain a license as lighterman, a man must be of the age of 19 or upwards, bear a good character, and have served an apprenticeship of five years to a freeman, or to the widow of a freeman, or to the registered owner of a barge, having a freeman or licensed lighterman in his employ. Sects. 46, 47, 55, 56, 57, and 58.

He must also have been continuously employed in a barge for the previous two years, and he must pay 3 *l.* 11 *s.* for his license, and 2 *s.* 6 *d.* for its renewal.

Similar conditions, *mutatis mutandis*, apply to watermen.

In the case of the refusal of the Court to grant a license, an appeal is allowed to the Conservators of the Thames. Sect. 63.

Registered owners of barges, if they have a freeman or licensed lighterman in their employ (as well as freemen or widows of freemen), are enabled to take apprentices for a five years' apprenticeship, and the number of apprentices to be so taken is not limited. Sects. 46, 47, 54.

Apprentices are not qualified to take sole charge of a vessel, unless they have served two years and have obtained a license. Sect. 52.

No person except a freeman or apprentice to a freeman, or apprentice to a barge owner, qualified as above-mentioned or licensed as above-mentioned, is allowed to act as watermen or lightermen, within the limits of the Act, under a penalty of 40 *s.*, or in the case of a passenger boat, 5 *l.* Sects. 54, 67.

No barge may be navigated unless there is a licensed lighterman or qualified apprentice in charge, except when it is impossible to obtain their services. Sect. 66. Qu. freeman.

Barges to be registered. Sects. 43 to 45.

Passenger boats to be registered. Sects. 68 to 77.

Court to fix numbers to be carried, also fares. Summary jurisdiction.

Jurisdiction for passenger boats.

Court to have power to make bye-laws for barges and boats. Sects. 80 to 82.

Saving of powers of—

Trinity House. Sect. 95.

Conservators. Sect. 101.

Monopoly of Sunday ferries continued. Sects. 29 to 41.

Obligation to serve in Navy not re-enacted, as the Admiralty expressed their opinion that it was useless.

Since the passing of the Act of 1859 the Board of Trade have had complaints of a bye-law made by the Conservancy of the Thames, requiring two licensed lightermen in every loaded barge above a certain burden; all that they could do was to refer the complaint to the Conservancy Board, with their opinion upon it.

It is probable that Clause 54 of the Watermen's Act, which appears to impose a penalty on any unlicensed person who navigates a barge, has led to this.

Note the confusion of jurisdiction, since the Watermen's Company have general powers for licensing and managing small craft upon the river; and the Conservators of the Thames, under their own Act, also have and exercise the power of making bye-laws for the government, good order, and regulation of the same craft. Thames Conservancy Act, s. 44.

Conclusions, so far as the Law is concerned.

1. *Anomalous constitution of Bodies exercising Jurisdiction;*

Conservators are appointed by City and Government.

Trinity House are self-elected.

Watermen's Company are self-elected.

No one of these either represents the interests they serve, or is directly responsible to Parliament. No Minister appointing a member of the Conservancy Board is responsible for the acts of the Board.

2. *Conflict or confusion of Jurisdiction between Conservators and Trinity House:*

1. As to removing shoals and getting ballast.

2. As to buoyage and beaconage.

App. No. 2.

3. *Conflict or confusion of Jurisdiction between Conservators and Watermen's Company in regulating Navigation of Barges, &c.:*

References.

Further ballastage is a monopoly.

Ballastage, buoyage, and beaconage, though local matters, are mixed up with general lighthouse management.

Watermen's privileges are an anomaly.

Impossible to say what plan is suitable, in Thames especially, before hearing evidence. Refer for general principles to various reports and precedents.

1. As regards Constitution and General Powers.

First Report, 1854, p. xlvi. Recommendations 3, 4, 5, and 6.

Report of Commissioners on Local Charges on Shipping.

Report of Board of Trade on Thames Conservancy Bill of 1857, quoting Report of Committee of 1836 and Commission of 1854, from "The most important," page 2, to "performance," p. 3.

Parl. Paper, 2—XXII., Sess. 2, 1857, pp. 2 and 3.

Refer to following instances of other harbours; viz.,

Mersey Board:

20 & 21 Vict. cap. clxii. ss. 5 to 11, and 14 to 25; amended by 21 & 22 Vict. cap. xcii. ss. 23 to 30.

Consists of 28 members; 24 elected by dock ratepayers; 4 named by Conservators of Mersey.

The elective members to possess the following qualifications:—

Residence within 10 miles of borough, or two miles of port, and payment of 25 *l.* in rates.

Sect. 18.

The electors are those who have in the previous year paid 10 *l.* in rates.

Clyde Trust:

Parl. Paper, 113—XV., 1858, pp. 4 and 5.

See passage in Report of Board of Trade on Clyde Bill of 1858, which has been repeated in various other reports under different Governments.

21 & 22 Vict. cap. cxlix.

Constitution was altered by this Act as follows:—

Twenty-five trustees in all, viz.,

Provost and nine town councillors chosen by Council.

Fifteen representatives of trade.

Of these 15 - -	2	Chosen by Chamber of Commerce.
	2	„ „ Merchants' House.
	2	„ „ Trades' House.
	9	„ „ Registered shipowners and Clyde ratepayers.
	15	

Sunderland:

Report of Board of Trade, Sess. Paper 80, 1859, p. 5.

Jurisdiction formerly divided between River Wear Commission and Sunderland Dock Companies. There were frequent differences, *see* Bill of 1859, and Report of Board of Trade.

The constitution, as settled by this Act, is as follows:—

22 & 23 Vict. cap. lvii.

Fifty-two Commissioners, viz.:—

1	Appointed by Admiralty - - - - - - - - -		1
1	Collector of Customs - - - - - - - - -		1
21	Persons elected by coal owners - - - - - - - -		21
15	„ „	registered shipowners - - - - - - -	15
9	„ „	Commissioners themselves - - - - -	9
3	„ „	importers and exporters - - - - -	3
1	Person „	Corporation - - - - - - - -	1
1	„ „	proprietor of North Dock - - - - -	1
			52

Tyne Commissioners.

13 & 14 Vict. cap. lxiii.

By the Tyne Improvement Act, 1850, the Conservancy was vested in a body called "Tyne Improvement Commissioners" and consisting of four persons named in the Bill; six persons, qualified to be Newcastle Councillors, appointed by the Newcastle Council; two persons, qualified to be Gateshead Councillors, appointed by the Gateshead Council; three persons, qualified to be Tynemouth Councillors, appointed by the Tynemouth Council; and three of the South Shields Improvement Commissioners appointed by those Commissioners. In this case it is to be observed that the questions which had arisen were principally between the Corporation of Newcastle, formerly Conservators of the Tyne, and the towns of North and South Shields.

The

The case of each estuary is different; different interests require different modes of representation, and all that can be gathered from precedents is, that a principle of direct representation of the interests concerned has been adopted in recent cases, and works well.

In this case it is a question whether direct payment of the present taxes should alone give right to representation; in which case shipowners alone would be the constituents; or whether various bodies, such as dock companies, wharfingers, barge owners, &c., &c., should have a voice, and if so, whether they should and would contribute to the income.

2. As regards Ballastage.

Refer to extract from Report of Commissioners on Local Charges on Shipping, from "But with regard" to "ballast." — First Report, 1854, p. 12.

There is probably no other port in the kingdom where an exclusive power of supplying ballast is vested in one body, and power of dredging, &c., in another.

Peculiarity of London as a port of import of bulky articles, where the difficulty is to get ballast.

At many ports the difficulty is to get rid of ballast.

In the cases above quoted, such powers on the subject as are necessary are vested in one body.

3. As regards Buoyage and Beaconage.

Difference between general and local sea marks recognised by Merchant Shipping Acts. — 17 & 18 Vict. c. 104, ss. 394, 395; 25 & 26 Vict. c. 63, ss. 43 to 47.

Local, managed by local bodies, and paid for by local dues.

General, by general bodies, and supported by passing tolls.

Change effected by Merchant Shipping Act was not intended to alter management, but simply to control expenditure.

See also clauses in Harbours Clauses Act, 1847, giving local bodies powers to manage local buoys and beacons. — 10 Vict. c. 27, Clauses 77, 78.

In the special cases above referred to, the local authorities seem to have these powers, viz.:—

In Wear Navigation and Sunderland Dock Act, 1859, sects. 127, 128.

In Mersey Dock Acts Consolidation Act, 1858, sects. 104 to 108.

4. As regards Watermen and Lightermen.

Query if there is any other port in which—

1. There is any such monopoly as exists in Thames.
2. The powers of regulating small craft is not vested in the harbour authority.

See Board of Trade Report on Watermen's Bill of 1859, p. 5, from "the second" to "may deserve consideration," on p. 6, and from "it appears," on p. 7, to "are concerned," on same page. — Parl. Paper, 80—XV. 1859.

Note especially the argument, that by compelling barge-owners to employ persons who are not their own servants, you exempt them from that responsibility, which is the best security against mismanagement. Why not license any lightermen who are competent, as in the case of masters and mates of merchant ships.

On the Clyde, boats and boatmen are regulated by Clyde Trust. *See* 21 & 22 Vict. cap. cxlix., sect. 119. — 21 & 22 Vict. c. cxlix. s. 119.

On the Mersey, boats and boatmen regulated by Mersey Board. *See* 21 & 22 Vict. cxcii. sect. 221. — 21 & 22 Vict. c. cxcii. s. 221.

Finally, point out the steps recently effected—

1. Title to soil settled in 1857.
2. Propriety of a separate Conservancy Board, admitted by Act of 1857.
3. Money from ballastage and buoyage no longer applicable to charity, settled in 1853.
4. A great part of the watermen's monopoly was abolished in 1859.

Board of Trade, April 1863. *T. H. Farrer.*

App. No. 2.

EXTRACT from the Clyde Navigation Consolidation Act, 1858, showing the Rates on Vessels and Goods in the *Clyde*.

21 & 22 VICTORIÆ, Cap. 149.

Rates on vessels as in Schedule (G.)

XCVII. SUBJECT to the provisions of this Act, it shall be lawful for the trustees to levy on and in respect of all vessels entering or using the river or harbour the rates specified in the Schedule (G.) to this Act annexed, and all such rates shall be paid by the owner, agent, master, consignee, or other person in charge of such vessels.

Rates on goods as in Schedule (H.)

XCVIII. Subject to the provisions of this Act, it shall be lawful for the trustees to levy on and in respect of all goods shipped or unshipped in the river or harbour the rates specified in the first and second columns of part I. of the Schedule (H.) to this Act annexed, and on all animals and carriages shipped or unshipped in the river or harbour the rates specified in part II. of the said Schedule (H.), and all such rates shall be paid by the owner of such goods, animals, and carriages.

River divided into stages, and rates on stages.

XCIX. For the more equitable payment of the rates hereinbefore granted, leviable below the Stockwell Bridge, formerly called the Old Glasgow Bridge, that part of the river shall be divided into three stages; *videlicet*, the first stage comprehending that part of the river lying above the Old Ferry of Renfrew, being about 660 yards to the east of the present ferry; the second stage extending from the said Old Ferry of Renfrew to the mouth of Dalmuir Burn; and the third stage extending from the mouth of the said Dalmuir Burn to the Castle of Newark; and all vessels and goods, animals, and carriages whatsoever, passing in or upon the river or any part thereof within the limits aforesaid, shall pay the said rates in manner and in the proportions following, and at such stations on the river as the trustees shall appoint; that is to say, in passing upon or going down the river on any part of the first stage as aforesaid, two-third parts of the aforesaid rates; on any part of the second stage as aforesaid, one-sixth part of the aforesaid rates; and on any part of the third stage as aforesaid, one-sixth part of the aforesaid rates, and shall pay the same proportion of the rates aforesaid on passing upon or coming up the river. Provided, that the trustees shall be entitled to levy the whole amount of the said rates on all vessels, goods, animals, and carriages passing or being conveyed along or into the said three stages, or any parts thereof.

SCHEDULE (H.)

I.—Rates on Goods conveyed upon or shipped or unshipped in the River or at the Harbour, or using any Transit Shed or Warehouse.

Description of Goods.	Rate per Ton, Foreign.	Rate per Ton, Coastwise.	Per Ton per Day on Goods in Transit Sheds.	Per Ton per Week on Goods in Warehouses.
	s. d.	s. d.	s. d.	s. d.
Acetate of lime	2 –	1 6	1 6	– 5
Alabaster	1 –	1 –	1 –	– 2
Ale, beer, and porter	2 –	1 6	1 6	– 7
Alum	2 –	1 6	1 6	– 2
Ammonia	2 –	1 6	1 6	– 5
Anchors	2 –	1 6	1 6	– 2
Argols	2 –	1 6	1 6	– 2
Arsenic	2 –	1 6	1 6	– 4
Ashes	2 –	1 6	1 6	– 2
Asphalte	2 –	1 6	1 6	– 2
Bacon	2 –	1 6	1 6	– 3
Bale and box goods	2 –	1 6	1 6	– 7
Bark	2 –	1 6	1 6	– 6
Barley and Barley Dust:				
Inwards	1 3	1 3	1 –	– 3
Outwards	1 –	1 –	1 –	– 3
Barwood	2 –	1 6	1 6	– 4
Barytes	1 6	1 6	1 6	– 2
Bath bricks	1 6	– 9	– 9	– 2
Beans:				
Inwards	1 3	1 3	1 –	– 3
Outwards	1 –	1 –	1 –	– 3
Beef	2 –	1 6	1 6	– 3
Blacking	2 –	1 6	1 6	– 2
Bleaching powder	2 –	1 6	1 6	– 2
Bleaching liquor	2 –	1 6	1 6	– 2
Blood	2 –	1 6	1 6	– 5
Bobbins	2 –	1 6	1 6	– 5
Boilers	2 –	1 6	1 6	– 2
Bonesand bone-dust	1 –	1 –	1 –	– 4
Bottles	2 –	1 6	1 6	1 8
Bran:				
Inwards	1 3	1 3	1 –	– 3
Outwards	1 –	1 –	1 –	– 3
Brass	2 –	1 6	1 6	– 2
Bread	2 –	1 6	1 6	– 4
Bricks	– 4	– 3	– 3	– 2
Brimstone	2 –	1 6	1 6	– 2
Brooms	2 –	1 6	1 6	– 2
Burr stones	2 –	1 6	1 6	– 6
Butter	2 –	1 6	1 6	– 4
Bychrome of potash	2 –	1 6	1 6	– 2
Candles	2 –	1 6	1 6	– 5
Casks	2 –	1 6	1 6	– 5
Cast-iron gas and water pipes	1 –	1 –	1 –	– 2
Castings of other kinds	1 6	1 6	1 6	– 2
Cement (ground)	2 –	1 6	1 6	– 3
Cement (shell)	– 4	– 3	– 3	– 2
Chains	2 –	1 6	1 6	– 2
Chairs (railway)	1 –	1 –	1 –	– 2
Chalk	– 4	– 3	– 3	– 2
Charcoal	2 –	1 6	1 6	– 5
Cheese	2 –	1 6	1 6	1 –
Chimney cans	1 6	1 –	1 –	– 2
China stones	– 4	– 3	– 3	– 2
Chromate of iron	1 –	– 9	– 9	– 2
Clay	– 4	– 3	– 3	– 2
Clay retorts	1 6	1 –	1 –	– 2
Clocks	2 –	1 6	1 6	1 –
Cloves	2 –	1 6	1 6	1 –
Coal	– 4	– 3	– 3	– 2
Coal dust	– 4	– 3	– 3	– 2
Coal tar	1 –	– 9	– 9	– 2
Codilla	2 –	1 6	1 6	– 4
Coffee	2 –	1 6	1 6	– 3
Coke	– 9	– 9	– 9	– 2
Confections	2 –	1 6	1 6	– 5
Copper	2 –	1 6	1 6	– 3
Copperas	2 –	1 6	1 6	– 4
Copper dross	– 4	– 3	– 3	– 2
Copper rollers	2 –	1 6	1 6	– 3

Description of Goods.	Rate per Ton, Foreign.	Rate per Ton, Coastwise.	Per Ton per Day on Goods in Transit Sheds.	Per Ton per Week on Goods in Warehouses.
	s. d.	s. d.	s. d.	s. d.
Cordage	2 –	1 6	1 6	– 4
Corkwood	2 –	1 6	1 6	– 9
Cotton	2 –	1 6	1 6	– 4
Cotton cloth	2 –	1 6	1 6	– 7
Cotton waste	2 –	1 6	1 6	– 2
Cream of tartar	2 –	1 6	1 6	– 5
Currants	2 –	1 6	1 6	– 5
Cyder	2 –	1 6	1 6	– 7
Draff	– 4	– 3	– 3	– 2
Drainpipes	– 4	– 3	– 3	– 2
Drugs	2 –	1 6	1 6	1 –
Dyestuffs	2 –	1 6	1 6	– 5
Earth (Fuller's)	2 –	1 6	1 6	– 4
Earthenware	1 6	1 –	1 6	– 5
Eggs	2 –	1 6	1 6	– 5
Empty bags	2 –	1 6	1 6	– 2
Empty casks	2 –	1 6	1 6	– 2
Farina	1 6	1 6	1 –	– 3
Feathers	2 –	1 6	1 6	1 –
Felt	2 –	1 6	1 6	– 5
Fig cake	2 –	1 6	1 6	– 5
Fish	2 –	1 6	1 6	– 4
Flax	2 –	1 6	1 6	– 4
Flint	– 4	– 3	– 3	– 2
Flour:				
Inwards	1 3	1 3	1 –	– 3
Outwards	1 –	1 –	1 –	– 3
Fowls	2 –	1 6	1 6	– 5
Fruits	2 –	1 6	1 6	– 5
Furniture	2 –	1 6	1 6	1 8
Fustic	2 –	1 6	1 6	– 2
Garancine	2 –	1 6	1 6	– 4
Gasometers	2 –	1 6	1 6	– 2
Ginger	2 –	1 6	1 6	– 4
Glassware	2 –	1 6	1 6	1 –
Gravel	– 4	– 3	– 3	– 2
Grease	2 –	1 6	1 6	– 4
Grindstones	2 –	1 6	1 6	– 2
Groceries	2 –	1 6	1 6	– 5
Guano	1 –	– 9	– 9	– 2
Gum	2 –	1 6	1 6	– 5
Gunpowder	2 –	1 6	1 6	—
Hair	2 –	1 6	1 6	– 2
Hams	2 –	1 6	1 6	– 3
Hay	2 –	1 6	1 6	– 6
Hemp	2 –	1 6	1 6	– 4
Herrings	2 –	1 6	1 6	– 1
Hides (ox, cow, or horse)	2 –	1 6	1 6	– 6
Honey	2 –	1 6	1 6	– 7
Hoofs	2 –	1 6	1 6	– 5
Horns	2 –	1 6	1 6	– 5
Horn shavings	2 –	1 6	1 6	– 5
Indian Corn and Meal:				
Inwards	1 3	1 3	1 –	– 3
Outwards	1 –	1 –	1 –	– 3
Indiarubber	2 –	1 6	1 6	– 5
Ink	2 –	1 6	1 6	– 5
Iron (bar, bolt, rod, rail, and sheet)	1 6	1 6	1 6	– 2
Iron fencing	2 –	1 6	1 6	– 2
Iron guns	2 –	1 6	1 6	– 2
Iron (pig and scrap)	– 9	– 9	– 9	– 1
Iron spikes, rivets, and pins	2 –	1 6	1 6	– 2
Iron ore	– 4	– 3	– 3	—
Kelp	2 –	1 6	1 6	– 2
Kelp salt or waste	– 4	– 3	– 3	– 2

SCHEDULE (H.)—I. RATES on Goods conveyed upon or shipped or unshipped in the River or at the Harbour, &c.—*continued.*

Description of Goods.	Rate per Ton, Foreign.	Rate per Ton, Coastwise.	Per Ton per Day on Goods in Transit Sheds.	Per Ton per Week on Goods in Warehouses.
	s. d.	s. d.	s. d.	s. d.
Lard	2 –	1 6	1 6	– 4
Lathwood	1 6	1 –	1 –	– 2
Lead	2 –	1 6	1 6	– 2
Leather	2 –	1 6	1 6	– 7
Lemon juice	2 –	1 6	1 6	– 7
Lemon peel	2 –	1 6	1 6	– 7
Lignumvitæ	2 –	1 6	1 6	– 2
Lime	– 4	– 3	– 3	– 2
Limestone	– 4	– 3	– 3	– 2
Linens	2 –	1 6	1 6	– 7
Linseed	2 –	1 6	1 6	– 2
Linseed oil and rape cakes	2 –	1 6	1 6	– 3
Liquorice	2 –	1 6	1 6	– 10
Locust beans	1 6	1 –	– 4	
Logwood	2 –	1 6	1 6	– 2
Looms	2 –	1 6	1 6	– 3
Luggage	2 –	1 6	1 6	– 7
Macaroni	2 –	1 6	1 6	1 –
Machinery	2 –	1 6	1 6	– 2
Madders	2 –	1 6	1 6	– 4
Magnesia	2 –	1 6	1 6	– 4
Mahogany	2 –	1 6	1 6	– 2
Malt	2 –	1 6	1 6	– 3
Manganese	2 –	1 6	1 6	– 3
Manure:				
Common	– 4	– 3	– 3	—
Chemical	1 –	– 9	– 9	– 2
Marble	2 –	1 6	1 6	– 4
Mats	2 –	1 6	1 6	– 6
Milk	2 –	1 6	1 6	– 5
Mineral water	2 –	1 6	1 6	– 5
Molasses	2 –	1 6	1 6	– 4
Muriates of lime, potash, soda, magnesia, &c.	2 –	1 6	1 6	– 2
Muslins	2 –	1 6	1 6	– 7
Nails	2 –	1 6	1 6	– 2
Naphtha	2 –	1 6	1 6	– 2
Nitrate of soda	2 –	1 6	1 6	– 2
Nuts	2 –	1 6	1 6	1 –
Oakum	2 –	1 6	1 6	– 4
Oats and Oatmeal:				
Inwards	1 3	1 3	1 –	– 3
Outwards	1 –	1 –	1 –	– 3
Oil	2 –	1 6	1 6	– 3
Old ropes	2 –	1 6	1 6	– 2
Onions	2 –	1 6	1 6	1 6
Pails	2 –	1 6	1 6	– 6
Paints	2 –	1 6	1 6	– 3
Pan scales	– 4	– 3	– 3	– 2
Paper	2 –	1 6	1 6	– 10
Pavement stones	– 4	– 3	– 3	– 2
Peas:				
Inwards	1 3	1 3	1 –	– 3
Outwards	1 –	1 –	1 –	– 3
Peats and turf	– 4	– 3	– 3	– 2
Pepper	2 –	1 6	1 6	– 4
Pianos	2 –	1 6	1 6	1 6
Pimento	2 –	1 6	1 6	– 4
Pitch	2 –	1 6	1 6	– 3
Plaster of Paris	1 6	1 –	1 –	– 2
Ploughs	2 –	1 6	1 6	– 2
Potash (prussiate and sulphate, &c.)	2 –	1 6	1 6	– 4
Potatoes	1 –	– 9	– 9	– 3
Provisions	2 –	1 6	1 6	– 3
Pumice stone	2 –	1 6	1 6	– 6
Puncheon goods	2 –	1 6	1 6	– 6
Puncheon packs	1 6	1 –	1 –	– 3
Pyrites	– 4	– 3	– 3	– 2
Rags	2 –	1 6	1 6	– 4
Railway plant (waggons, &c.)	2 –	1 6	1 6	– 3
Rice and rice flour	1 6	1 6	1 –	– 4
Rocksalt	– 4	– 3	– 3	– 2
Rosewood	2 –	1 6	1 6	– 2
Rosin	2 –	1 6	1 6	– 3
Rye	1 6	1 6	1 –	– 4
Sago and sago flour	1 6	1 6	1 –	– 4
Salt	– 4	– 3	– 3	– 2
Salt dross	– 4	– 3	– 3	– 1
Saltpetre	2 –	1 6	1 6	– 3
Sand	– 4	– 3	– 3	—
Scrap tin	1 –	– 9	– 9	– 4
Seeds	2 –	1 6	1 6	– 4
Shellfish	2 –	1 6	1 6	– 4
Ship stores	2 –	1 6	1 6	– 4
Shoes	2 –	1 6	1 6	– 4
Shoe pegs	2 –	1 6	1 6	– 4
Shot	2 –	1 6	1 6	– 2
Shumac	2 –	1 6	1 6	– 4
Skins (calf, sheep, or lamb)	2 –	1 6	1 6	– 6
Slagg	– 4	– 3	– 3	– 2
Slates	1 3	1 3	1 3	– 3
Soap	2 –	1 6	1 6	– 6
Soap waste	– 4	– 3	– 3	– 1
Soda	2 –	1 6	1 6	– 4
Soda ash	2 –	1 6	1 6	– 4
Soot	1 –	– 9	– 9	—
Spelter	2 –	1 6	1 6	– 2
Spirits	2 –	1 6	1 6	– 8
Starch	2 –	1 6	1 6	– 4
Staves	1 –	1 9	– 9	– 2
Steel	2 –	1 6	1 6	– 2
Stockings	2 –	– 6	1 6	– 7
Stones	– 4	– 8	– 3	– 2
Straw	1 6	1 –	1 –	– 2
Stucco	1 6	1 –	1 –	– 2
Sugar	2 –	1 6	1 6	– 4
Sugar (moulds)	1 6	1 –	1 –	– 2
Sulphates (soda and zinc)	2 –	1 6	1 6	– 2
Syrup	2 –	1 6	1 6	– 4
Tallow	2 –	1 6	1 6	– 3
Tar	1 6	1 –	1 –	– 2
Tea	2 –	1 6	1 6	– 10
Thread	2 –	1 6	1 6	– 6
Tiles (roofing)	1 –	– 9	– 9	– 2
Tiles (drain)	– 4	– 3	– 3	– 2
Timber (teak, oak, elm, ash, birch, or other similar hard wood), per ton of 40 cubic feet	1 3	1 3	1 –	– 2
Timber (fir or pine deals, battens, or scantling), per ton of 50 cubic feet	1 3	1 3	1 –	– 2
Tin of all kinds	2 –	1 6	1 6	– 2
Tobacco	2 –	1 6	1 6	– 3
Tobacco pipes	2 –	1 6	1 6	– 4
Tow	2 –	1 6	1 6	– 4
Treacle	2 –	1 6	1 6	– 4
Tree plants	2 –	1 6	1 6	– 4
Turnips	– 4	– 3	– 3	– 2
Turpentine	2 –	1 6	1 6	– 3
Umber	2 –	1 6	1 6	– 4
Valonia	2 –	1 6	1 6	– 4
Vegetables	2 –	1 6	1 6	– 3
Vent linings	1 6	1 –	1 –	– 2
Vitriol	2 –	1 6	1 6	– 3
Wands	2 –	1 6	1 6	– 2
Wheat:				
Inwards	1 3	1 3	1 –	– 3
Outwards	1 –	1 –	1 –	– 3
Whiting	– 4	– 3	– 3	– 2
Wines	2 –	1 6	1 6	– 8
Wire	2 –	1 6	1 6	– 3
Wood (Brazil, cedar, ebony, and maple)	2 –	1 6	1 6	– 2
Wood hoops	2 –	1 6	1 6	– 2
Wool	2 –	1 6	1 6	– 10
Wrought-iron punts	2 –	1 6	1 6	– 2
Wrought-iron roofing	2 –	1 6	1 6	– 2
Yarn	2 –	1 6	1 6	– 4
Yeast	2 –	1 6	1 6	– 4
Yellow metal	2 –	1 6	1 6	– 3
Zinc	2 –	1 6	1 6	– 2
All other goods not particularly enumerated	2 –	1 6	1 6	– 6

Goods in vessels to or from any place out of the United Kingdom of Great Britain and Ireland shall be liable for the rates in the First Column, and goods in vessels to or from any place within the United Kingdom of Great Britain and Ireland shall be liable for the rates in the Second Column.

Goods brought to Glasgow for transhipment shall pay only the rate one way, either inwards or outwards, in the option of the trustees, previous notice being given at the Tonnage Office before the goods are discharged or loaded.

II.—RATES on Animals and Carriages shipped or unshipped in the River or at the Harbour.

	s.	d.	
Horses	1	–	each.
Bullocks, cows, mules, ponies, or asses	–	6	„
Queys, small cattle, or stirks	–	3	„
Swine	–	1	„
Pigs, calves, goats, and dogs	–	½	„
Sheep	1	6	per score.
Lambs	–	9	„
Chaises, and other four-wheeled carriages	2	6	each.
Gigs, carts, and other two-wheeled carriages	1	6	„

Appendix, No. 3.

PAPER handed in by Mr. *Tucker*.

RETURN of Vessels Sunk from *Broadness Point* to *Yantlett Creek*, from September 1857 to May 1863.

Lower or Gravesend District.

Date.	Vessel's Name.	Description.	Where Sunk.	Cause of Sinking.	Description.	REMARKS.
14 Sept. 1857	Samson	steam tug	Gravesend Reach	Fyenoord	screw steamer	Abandoned, and raised by conservators.
18 Nov. –	William Foot	barge	Sea Reach	Triton	paddle steamer	- - ditto - - - ditto.
25 Dec. –	Neptune	brig	Gravesend Reach	Laughing Water	ship	Raised by owner.
7 Jan. 1858	Alma	smack	Sea Reach	Brothers	schooner	- - ditto.
27 June –	Vanguard	steam tug	Gravesend Reach	Ross and Mangles	screw steamer	- - ditto.
6 Oct. –	Victory	ditto	- ditto -	Seine	paddle steamer	- - ditto.
10 – –	Friends	brig	- ditto -	Helena	screw steamer	Abandoned, and raised by conservators.
6 Nov. –	Woodpark	ditto	Off Broadness Point.	Seine and Tamise	- ditto -	- - ditto - - - ditto.
7 Jan. 1859	Sea Drift	brig	Sea Reach	Great Northern	screw steamer	Abandoned, and stript by conservators.
26 Feb. –	King Cole	barge	Northfleet Hope	Stress of weather	- - -	Raised by owner.
17 Mar. –	Pat	ditto	Lower Hope	- ditto -	- - -	- - ditto.
3 July –	Albatross	yacht	Gravesend Reach	Fouled vessel at anchor.	- - -	Raised by friend of owner.
14 Dec. –	Euphemia	schooner	Gravesend Reach	Lady Eglintine	screw steamer	Raised by underwriters.
28 Feb. 1860	Mary Ann	barge	Off Grays	Stress of weather	- - -	Raised by owner.
5 April –	Vigo	schooner	Sea Reach	Baron Osy	paddle steamer	Abandoned, and raised by conservators.
6 – –	Nancy	barge	Lower Hope	Express	screw steamer	Raised by owner.
28 Oct. –	Gratitude	steam tug	Gravesend Reach	Stadt Dordrecht	- ditto -	- - ditto.
1 Nov. –	Waterwitch	barge	Sea Reach	Thames	- ditto -	- - ditto.
27 Jan. 1861	John and Elizabeth	sloop	Off Yantlett (Sea Reach).	Unknown	brig	Abandoned, and raised by conservators.
21 Feb. –	Haidee Jane	barge	Gravesend Reach	Stress of weather	- - -	Raised by owner.
16 May –	Emily	ditto	Sea Reach	Struck Blyth Sand	- - -	- - ditto.
21 July –	Jane	ditto	Gravesend Reach	Stress of weather	- - -	- - ditto.
16 Oct. –	Water Nymph	brig	- ditto -	Jarrow	screw steamer	- - ditto.
16 Nov. –	Clara	barge	Northfleet Hope	Stress of weather.		
16 – –	John and William	ditto	- ditto -	- ditto.		
17 – –	Name unknown	ditto	Gravesend Reach	- ditto -	- - -	Raised by contractor.
2 Feb. 1862	Sarah	brig	Gravesend Reach	Mowe	screw steamer	Raised by underwriter.
2 – –	John Etherden	barge	Sea Reach	Eliza	schooner	Raised by owner.
24 – –	Witch of the Wave	smack	Lower Hope	Advance	screw steamer	- - ditto.
5 Mar. –	Mayflower	brig	Northfleet Hope	Helse Rapid	screw corvette	Raised by authorities of Woolwich Dockyard.
5 – –	Name unknown	barge	Sea Reach	Stress of weather	- - -	Raised by owner.
16 April –	Brunswick	ditto	- ditto -	Ceres	screw steamer	- - ditto.
11 June –	Susanna Maria	ditto	- ditto -	Stress of weather	- - -	- - ditto.
11 July –	Agenoria	schooner	Gravesend Reach	Great Northern	screw steamer	- - ditto.
8 Aug. –	William and Harriet	peter boat	- ditto -	Hope	barge	Abandoned, and raised by conservators.
17 – –	Henry	ditto	Lower Hope	Ceres	screw steamer	Raised by owner of Ceres.
15 Nov. –	Defiance	schooner	Sea Reach	Morna	- ditto -	Abandoned, and raised by conservators.
5 Feb. 1863	Elizabeth	barge	Sea Reach	Stress of weather	- - -	Raised by owners.
17 – –	Sceptre	ditto	Lower Hope	Scotia	screw steamer	Raised by owners of Scotia.
18 April –	Eliza	ditto	Gravesend Reach	Sprang a leak	- - -	Raised by owner.

SUMMARY.

Collisions by screw steamers	18	Raised by conservators	7
Collisions by paddle steamers	3	Raised by owners	28
Collisions by sailing vessels	5	Raised by underwriters	2
Stress of weather and other causes	14	Raised by Her Majesty's Government	1
		Stript seven to eight fathoms	2
	40		40

Harbour Master's Office, Gravesend,
15 May 1863.

C. Thorndike Tucker,
Harbour Master, Port of London.

PAPERS handed in by Captain *Pigott*.

LETTER from the Board of Trade to the Secretary, Trinity House, transmitting Copy of a Letter from Mr. *Lindsay*, M.P., and its Enclosure.

App. No. 3.

Office of Committee of Privy Council for Trade,
Marine Department, Whitehall,
Sir, 26 February 1863.

I AM directed by the Lords of the Committee of Privy Council for Trade, to transmit to you the accompanying copy of a Letter from Mr. Lindsay, M.P., and its enclosure, complaining of the effect of the present system of ballastage in the River Thames, and I am to request you to move the Elder Brethren to favour my Lords with their observations with reference to these complaints.

I am, &c.
(signed) *T. H. Farrer.*

The Secretary,
Trinity House, E. C.

LETTER from Mr. *Lindsay*, M.P., to the Secretary, Marine Department, Board of Trade.

8, Austin Friars, City,
Sir 17 February 1863.

COMPLAINTS are often brought under my notice in regard to the supply of ballast to ships in the River Thames.

I enclose herewith copy of a Letter on that subject I received this morning; would you do me the favour to bring it, with this letter, under the notice of the Committee of the Privy Council for Trade?

I have often been at a loss to understand why a shipowner should be required to purchase all the ballast he requires from the Trinity House, and why that corporation should alone have the privilege of supplying vessels with it. The price is thereby enhanced, and I know, from experience, and to my cost, that the rapidly increasing trade of the port is greatly retarded by this monopoly.

If, for instance, a ship arrives at the Port of London, consigned to my firm, in ballast, and we are dispatching another ship in ballast (which is very often the case), the Trinity House requires us, before we transfer the ballast from one ship to another, not merely to have permission from them to make the transfer, but also to pay to that corporation 6*d.* per ton for our own ballast.

This regulation appears to me to be as absurd as it is unjust. It, besides, causes great and unnecessary delay.

I may mention another case. The writer of the enclosed letter informs me that they are at present under contract to remove from the Tower a large quantity of small stone, &c., &c., admirably adapted for ships' ballast, but the Trinity House regulations prevent them from putting it on board ship; and, in fact, under no circumstances whatever can ballast be taken from the shore and put on board of any vessel within the limits of this port.

In regard to digging ballast from the Thames, if it is not advisable to allow every person to do so in case the bed of the river might be thereby injured, any danger on this point could, I think, be met by granting licenses to a certain number of persons, who would only be allowed to dig it under specified regulations.

I trust this matter may receive the immediate attention of your Committee.

I am, &c.
(signed) *W. S. Lindsay.*

T. H. Farrer, Esq.

38, Fore-street, Limehouse,
Sir, 16 February 1863.

WE have taken the liberty of addressing you, to respectfully beg your assistance in bringing the matter in question before the proper authorities.

We are ballast contractors, and supply some of the principal firms in London with stone, &c., for ballasting vessels. In November last an iron ship, the "Winifred," required shifting ballast; and iron kintledge not being procurable, we supplied small china-stone, which is the best substitute, being always clean and perfectly dry; the captain positively refusing Trinity ballast, which is raised from the bed of the river, is always wet, and sometimes mud, and therefore totally unfit for the purpose.

In consequence of putting on board the above stone, we received a communication from the Trinity House, giving notice of an action at law (which is now pending), for 2,000 *l.* damages. This we consider a most iniquitous proceeding, as the agents of the ship most distinctly refused to receive Trinity ballast, it, on a previous voyage, having considerably injured the vessel.

You may, perhaps, remember a case in which one of your own vessels was chartered for stores during the Crimean War, when the Government authorities compelled you to discharge the Trinity ballast and ship stone. We must explain that the Trinity House grant permission to ship stone, if large; but large stone will not stow cargo properly, and occupies too much room.

Earnestly trusting you will kindly exert your influence to abolish this arbitrary monopoly,

We have, &c.
(signed) *W. Shelbourne & Son.*

W. S. Lindsay, Esq., M.P.

Letter from the Secretary, Trinity House, to Mr. *Lindsay*, M.P.

App. No. 3.

Trinity House, London, E.C.,
Sir, 4 March 1863.

Having brought under the consideration of the Elder Brethren your letter of the 26th ult., enclosing copy of one from Mr. W. S. Lindsay, M.P., and its enclosure, complaining of the effect of the present system of ballastage in the River Thames, and signifying the request of the Lords of the Committee of Privy Council for Trade to be favoured with the Elder Brethren's observations with reference to these complaints, I am directed to observe, that the exclusive right of supplying ballast to vessels in the River Thames was vested in this Corporation by charter originally, and by subsequent Parliamentary enactments, with the double object of securing to shipping a constant supply at a uniform rate of charge, and of improving the navigation of the river by the removal of shoals and obstructions, under the supervision and direction of the Corporation, and in such manner as that the passage of vessels might not be impeded by the dredges so employed. It appears to the Elder Brethren that neither of these objects could be attained if, as suggested by Mr. Lindsay, permission were accorded to other persons to raise ballast, and it were thus constituted an article of traffic, the price of which would necessarily vary according to the demand and supply, and would be low when the demand was slack, and excessive when the supply was limited and the demand great. The profits of ballastage are at present applicable to the purposes of a mercantile marine fund, which would no longer be the case if it became an open trade. The ballast shipped by this Corporation is the best that can be obtained from the bed of the river, and is always supplied when demanded in a dry condition, after having been washed and screened. The statement made by Mr. Lindsay, that "under no circumstances whatever can ballast be taken from the shore and put on board of any vessel within the limits of the port," is, as that gentleman must be aware, not borne out by facts, permission being invariably given, when necessary, for ballast being procured elsewhere, of which permission Mr. Lindsay's agents have frequently availed themselves, as I stated in my letter of the 18th of September last, to their Lordships, on the subject of the complaint then made by that gentleman. The representation made to Mr. Lindsay by Messieurs Shelbourne and Son, and alluded to in his letter, is utterly at variance with the facts, as stated by them to this Corporation. The case adverted to occurred as follows, viz.: Information having been received that Messieurs Shelbourne had supplied a quantity of ballast to the ships "Winifred" and "Strathdon," without the Corporation's permission, they were called upon for an explanation of the circumstances, and after considerable delay, replied that the material supplied was not ballast, but was shipped as duty-free goods, and entered as cargo; this assertion was entirely disproved by the fact that the so-called cargo had been discharged from those vessels as ballast on their coming out of dry-dock. An infringement of the Act having been thus clearly committed, Messieurs Shelbourne were called upon for an explanation, and one of the firm having called at this house, stated that the Corporation might take what steps they pleased, as they intended placing the whole matter in Mr. Lindsay's hands. An action was accordingly commenced against them, but finding there was no doubt as to the result, they paid the costs of the suit, together with a sum as a mitigated fine in each case, and the further prosecution of the suit was waived by the Corporation. In Messieurs Shelbourne's letter to Mr. Lindsay, they state that the material adverted to, instead of being duty-free goods shipped as cargo as previously described, consisted of small china-stone, and was supplied as shifting ballast, being much better for the purpose than that supplied by the Corporation; this assertion, again, is totally at variance with the facts, as the material consisted of small stones, gravel, and clay, in about equal proportions, and was in every respect inferior to the washed ballast supplied by the Corporation. Mr. Lindsay's statement relative to the transhipment of ballast from one vessel to another is correct, so far as relates to the charge for the permission, but not so as respects the alleged great and unnecessary delay. As regards the cost of the ballast supplied by the Corporation, to which Mr. Lindsay alludes, the Elder Brethren desire to remark, that they were distinctly informed by Mr. Shelbourne that the material put on board the "Winifred," which he described as cargo, cost considerably more than the best washed and screened ballast. Under the provisions of the Merchant Shipping Act, 1854, ballast-getting and ballast-heaving were amalgamated and became a single system, by which the Corporation has been enabled not only to place the ballast on board vessels at a much lower rate than it could possibly have been placed by private individuals, but entirely to break up the pernicious truck system formerly practised upon the ballast-heavers by the agents and publicans, who compelled them to spend a considerable portion of their hard-earned wages in drink. The result of this has not only secured incalculable benefit to the men and their families, but has also been productive of great advantage to the Public Service.

I have, &c.
(signed) *P. H. Berthon.*

RETURN of the Number of Persons Employed in the Dredgers, the Lighters and Barges, and the Stations at *Ratcliff Cross* and *Wapping*, and the Cost thereof, together with the Number and Cost of Ballast Heavers.

YEAR.	Dredgers.		Lighters and Barges.		Ratcliff Cross.		Wapping.		Ballast Heavers.		Heavers' Offices.	
	No. of Men.	Wages.	No. of Men.	Wages.	No. of Men.	Wages.	No. of Men.	Wages.	No. of Men.	Wages.	No. of Men.	Wages.
		£. s. d.		£. s. d.		£. s. d.		£. s. d.		£. s. d.		£. s. d.
1854	24	2,723 14 8	226	14,643 7 11	8	830 – 4	3	426 18 –	145	6,323 – 10	4	343 9 6
1855	24	2,653 12 9	232	12,509 19 6	8	772 2 –	3	404 12 –	145	7,042 3 5	5	406 15 6
1856	24	2,647 5 7	218	12,740 5 8	8	775 11 4	3	405 7 –	145	8,145 8 1	5	418 6 8
1857	24	2,303 8 9	216	12,275 3 10	8	752 15 9	3	404 12 –	145	7,370 11 9	5	414 4 –
1858	24	2,495 15 4	208	12,113 8 11	8	741 15 11	3	257 13 6	145	7,479 19 1	4	376 11 –
1859	24	2,377 9 4	212	11,436 6 –	8	779 16 –	3	295 7 –	145	8,542 19 4	4	368 3 –
1860	24	3,042 8 4	216	12,276 19 9	8	793 16 –	3	314 12 –	145	9,563 7 3	4	364 8 –
1861	24	2,988 18 3	224	13,688 – –	8	827 7 8	3	343 9 3	145	10,175 11 7	4	386 16 6
1862	24	3,231 4 9	232	13,386 2 6	8	808 14 6	3	373 2 9	145	10,218 17 7	4	386 15 8
		24,463 17 9		115,069 14 1		7,081 19 6		3,225 13 6		74,861 18 11		3,465 9 10
Average for 9 Years	24	2,718 4 2		12,785 10 5		786 17 8		358 8 2	145*	8,317 19 10		385 1 1
Lighters	220	12,785 10 5							4	385 1 1		
Ratcliff Cross	8	786 17 8										
Wapping	3	358 8 2										
Men	255	16,649 – 5	Raising Account.									
Men	149	8,703 – 11	Heaving Account.						Men	149	8,703 – 11	Heaving Account.
	£.	25,352 1 4										

* *Note.*—The above amount is not the earnings of the 145 men alone; the number of men being increased at times by 60 additional hands, as the demand may require.

The following STATEMENT shows the Quantity of Ballast raised from the Bed of the River by the Three Dredging Vessels, since the Year 1854, for the supply of the Shipping and Contractors:—

	To Shipping.	Contractors.	Total Number of Tons Raised and Supplied.
	Tons.	*Tons.*	*Tons.*
1854	580,784	26,040	606,824
1855	516,361	48,115	564,476
1856	520,770	60,825	581,595
1857	471,319	48,985	520,304
1858	498,353	54,400	554,753
1859	477,297	42,230	519,527
1860	522,159	67,915	590,074
1861	552,079	130,440	682,519
1862	526,365	176,857	703,222
			9) 5,323,294
		Yearly Average	591,477⅓

In addition to the above quantities supplied from the Corporation's dredgers to the shipping, the following quantities were supplied by the Conservancy, and paid for by the Corporation at 2½ *d.* per ton:—

	Tons.	
1860	5,315	This quantity supplied free.
1861	5,063	Total at 2½ *d.*,
1862	17,793	22,856 tons = £. 238. 1. 8.
TOTAL	28,171	Tons.

App. No. 3.

STATEMENT of Ballast removed from one Vessel to another, under the operation of Section 22 of the Ballast Act.

BY Section 22 of the Ballast Act, it is provided that ballast may be transhipped from one vessel to another lying alongside, if both vessels belong to the same owner, upon payment of 6 *d.* per ton; if to different owners, the same rates to be paid as though such ballast had been unladen by the Corporation—viz., 6 *d.* per ton for the vessel unloading, and the same rate for the vessel receiving it, as though it was supplied by the Corporation.

By the following Statement, it will be seen that applications for transhipment of ballast under the above clause are of rare occurrence:—

QUANTITIES for which Permissions have been granted.

	For Vessels belonging to the same Owner.		For Vessels belonging to different Owners.	
	Tons.		*Tons.*	
1858 -	365		133	
1859 -	105		87	
1860 -	1,611		126	
1861 -	56		117	
1862 -	120		110	
Total -	2,257	at 6 *d.* per ton = 56 *l.* 8 *s.* 6 *d.*	573	at 1 *s.* 3 *d.* per ton = 35 *l.* 16 *s.* 3 *d.*
	Yearly average - = £. 11. 5. 8¾.		Yearly average - = £. 7. 3. 3.	

PAPER as to MONEY for BALLASTAGE received by the TRINITY HOUSE.

THE apparent surplus receipts over expenditure, as shown in the accounts of the Mercantile Marine Fund, from 1st October 1853 to 31st December 1862, amount to 31,046 *l*, 0 *s.* 4 *d.*

The salaries of the Elder Brethren, and the amounts paid for pensions during that period, amount to 201,392 *l.*

No portion of this amount is included in the Ballastage Account; but it is considered that that account should bear its equal proportion with the Lighthouse Accounts.

This proportion would amount to 40,751 *l.*, which is more than the surplus.

There are other charges, viz. the secretary's salary, and expenses for repairs and decorations of the Trinity House, which might fairly be considered as applicable to both lighthouses and ballastage; but I have not included either in the above calculation.

(signed) *N. R. Williams.*

30 May 1863.

See particulars of the above on pp. 323 and 324.

App. No. 3.

Ballastage Receipts and Payments.

	Receipts.			Payments.		
	£.	s.	d.	£.	s.	d.
1853	11,142	6	7	7,314	1	–
1854	46,985	11	1	43,582	9	11
1855	42,518	10	5	43,367	18	5
1856	44,056	17	3	41,029	4	7
1857	39,734	10	1	40,824	12	8
1858	40,826	8	5	39,626	10	3
1859	39,993	4	8	39,733	12	2
1860	46,856	6	5	41,581	14	4
1861	50,715	–	9	42,847	5	4
1862	51,662	3	10	43,537	10	6
	414,490	19	6	383,444	19	2
	383,444	19	2			
£.	31,046	–	4	Surplus.		

Expenditure on Lighthouses.

	Maintenance.			New Works.		
	£.	s.	d.	£.	s.	d.
1853	43,097	8	4	24,660	16	2
1854	126,427	14	11			
1855	148,784	7	8	13,898	18	–
1856	139,508	7	11	11,033	12	6
1857	159,923	15	8	34,570	11	4
1858	133,222	8	3	38,633	–	1
1859	137,147	3	10	19,535	16	9
1860	132,037	17	9	25,299	9	3
1861	159,353	1	–	34,965	5	4
1862	164,261	16	10	41,953	1	5
	1,343,764	2	2	244,550	10	10
	244,550	10	10			
	1,588,314	13	–			
	76,775	–	–	Deduct for sums applicable both to lighthouses and ballastage—say, salaries of Elder Brethren, 7,000*l.* per annum; extra sum allowed to Trinity House, 1,300*l.* per annum for 9¼ years.		
£.	1,511,539	13	–			

App. No. 3.

TOTAL EXPENDITURE upon which the Pensions, Salaries of Elder Brethren, and Extra Allowance is to be apportioned, say—

	£.	s.	d.
Lighthouses	1,511,539	13	–
Ballastage	383,444	19	2
£.	1,894,984	12	2

Paid PENSIONS (granted by TRINITY HOUSE before 1st October 1853), not having reference to the Service of either LIGHTHOUSES or BALLASTAGE, and considered to be Chargeable to the whole of the Expenditure in the respective proportion of the Aggregate Amount under each Service:—

	£.	s.	d.	
1853–54	27,616	11	8	
1855	19,202	14	–	
1856	16,766	9	6	
1857	14,755	12	10	
1858	12,138	10	8	
1859	10,314	–	9	
1860	9,626	2	7	
1861	7,690	2	6	
1862	6,507	11	9	
	124,617	16	3	
	76,775	–	–	Add for salaries of Elder Brethren, and Extra Allowance for expenses.
£.	201,392	16	3	

	£.
The Ballastage Expenditure would bear	40,751
„ Lighthouses „	160,641
	£. 201,392

The calculation as to the proportion which each service ought to bear is made upon the amount of the expenditure of the service, and not upon the receipts.

The reason for doing so is, that the receipts for lights by the Trinity House have now no reference to the English Lights only, but include both Scotch and Irish.

Had the calculation been made upon the receipts, it would therefore be erroneous.

PETITION of the BALLAST HEAVERS of the PORT of LONDON.

To the Honourable the Commons of Great Britain and Ireland in Parliament assembled.

The humble Petition of the Ballast-heavers of the Port of London,

Showeth,

THAT your Petitioners have heard that the subject of the Conservancy of the River Thames is likely to engage the consideration of your Honourable House.

That your Petitioners are deeply interested in that portion of the subject which refers to the getting of the ballast in the said river, and in the continuance of the arrangements by which, under the direction of the Master and Elder Brethren of the Trinity House, your Petitioners enjoy great advantages and blessings.

That, previously to the year 1853, your Petitioners were employed by, and could only get work through, riverside publicans and other middlemen, who worked them under the truck system; the publicans forcing them to take drink before they were set to work, obliging them to take more drink while at their work, and keeping them waiting for their wages at the beershop and drinking after their work was done, so that half, and often more, of their wages was consumed in drink, their families were impoverished, themselves made drunkards, and their homes made wretched.

That your Petitioners, and their wives and children, being thus reduced to great misery, did, in the month of November 1852, appeal to his Royal Highness the late Prince Consort, then Master of the Trinity House, who immediately inquired into their miserable circumstances; and the Corporation of the Trinity House became satisfied of the justice and urgency of their case, and warmly espoused their cause.

That in the year 1853, a clause was inserted by your Honourable House in "The Merchant Shipping Law Amendment Act, 1853," empowering the Corporation of the Trinity House to undertake the ballastage of ships; that the Master and Elder Brethren accordingly acted on such power, and the ballast-heavers thankfully enrolled themselves at the office of the Corporation, and have been thenceforth employed therefrom.

That under the management of the Master and Elder Brethren, your Petitioners have received the greatest blessings.

That the truck drinking system to which your Petitioners were formerly subject has been wholly abolished; that instead of drinking being made compulsory on your Petitioners, drunkenness when seen is severely punished; that your petitioners are allowed to take the whole of their wages home to their families; that a waiting and reading room has been provided for them by the Corporation; that they have been encouraged to form, and have formed, a Sick and Benefit Society; that in every way your petitioners have always been most kindly and fairly treated by the Corporation, and that your petitioners and their families have been raised from the miserable state that the drunkard and his home must ever be in, to a condition of decency and comfort; your petitioners' work (very hard though it is), being no longer a curse, but a blessing to them.

That by these means, under the Act passed by your Honourable House, empowering the Master and Elder Brethren of the Trinity House in that behalf, and under the superintendence of his Royal Highness the late Master (whose interest in them continued to the latest period of his life), and of the present Master and Elder Brethren of the Trinity House, your petitioners have continued to enjoy from the year 1853 to the present hour these great blessings, which they earnestly pray may be perpetuated under any arrangement which your Honourable House may deem it expedient to adopt.

And your petitioners will always humbly pray, &c.

Signed on behalf of the ballast heavers in public meeting assembled, at the Ballast Office, Ratcliff Cross, this 16th day of June 1863.

T. Tighe Flynn,
Chairman.

PAPERS handed in by Mr. *Henry Humphreys.*

WATERMEN'S COMPANY.

THE COMPANY'S ACCOUNT from the 1st July to the 30th December 1861.

	£.	s.	d.		£.	s.	d.
By Cash: Investment of stock - - -	1,000	–	–	To Cash: Balance of account - - -	1,157	4	9
„ General charges - - -	156	1	4	„ Receipts at Courts on bindings, assignments and freedoms.	544	17	9
„ Rents, &c. - - - -	28	2	1	„ Quarterage of freemen - -	308	12	9
„ Salaries - - - - -	364	5	–	„ Registering and renewing certificates of owners of craft.	109	15	–
„ Pensions - - - - -	105	10	–	„ Registering craft - - -	16	14	–
„ Expenses paid at police courts, enforcing Company's convictions.	5	3	10	„ Registering boats to let out, &c. -	8	2	6
Balance carried down - -	695	7	7	„ Licensing watermen, lightermen, and apprentices.	43	2	6
				„ Licensing passenger boats - -	11	4	–
				„ Summonses - - - -	3	5	6
				„ Affidavits and declarations -	9	19	6
				„ Entries in rough book - -	22	4	–
				„ Discount on stamps - - -	2	15	6
				„ Searches and registering mortgages.	2	11	6
				„ Certificates - - - -	–	7	6
				„ Books sold - - - -	3	1	5
				„ Rents - - - - -	77	–	–
				„ Dividends on stock - - -	33	11	8
£.	2,354	9	10	£.	2,354	9	10

POOR'S ACCOUNT.

	£.	s.	d.		£.	s.	d.
By Cash: Poor watermen of Westminster, dividends on trust stock.	41	8	3	To Cash: Balance of account - - -	279	8	3
„ Pensioners - - - -	522	5	–	„ Dividends on stock - - -	640	8	8
„ Ditto - - quarterage - -	29	13	3	„ Income tax, returned.	—		
„ Inmates of asylum - - -	268	2	–	„ Rents of Sunday ferries - -	230	16	–
„ Lucas's gift - - - -	15	9	–	„ Fines received at courts of complaints.	38	4	6
„ Invested - - - - -	279	8	3	„ Poor's box - - - -	2	17	11
Balance carried down - - -	35	9	7				
£.	1,191	15	4	£.	1,191	15	4

CHURCH REPAIR ACCOUNT.

	£.	s.	d.		£.	s.	d.
By cash invested - - - - -	23	9	7	To Cash: Balance of account - - -	23	9	7
„ ditto - - - - - -	18	5	10	„ Dividends on stock - - -	6	10	10
				„ Retained out of pew rents, due October 1860.	11	15	–
£.	41	15	5	£.	41	15	5

	£.	s.	d.		£.	s.	d.
Cash at Banker's - - - - -	704	–	5	Balance of Company's account brought down.	695	7	7
Ditto in clerk's hands - - - -	26	16	9	„ Poor's account - - - -	35	9	7
£.	730	17	2	£.	730	17	2

Audited, *Thos. Pillow*, jun.
Edwd M'Donald.

WATERMEN'S COMPANY.

THE COMPANY'S ACCOUNT from the 1st January to the 30th June 1862.

	£.	s.	d.		£.	s.	d.
By Cash: Investment of stock	535	8	3	To Cash: Balance of account	695	7	7
„ General charges	265	–	1	„ Receipts at Courts on bindings, assignments and freedoms.	487	16	3
„ Rents, &c.	130	6	5	„ Quarterage of freemen	435	17	–
„ Salaries	412	10	–	„ Registering and renewing certificates of owners of craft.	168	15	–
„ Pensions	76	–	–	„ Registering craft	18	15	–
„ Expenses paid at police courts, enforcing Company's conviction.	1	17	6	„ Registering boats to let, &c.	15	–	–
Balance carried down	641	8	7	„ Licensing watermen, lightermen, and apprentices.	44	7	6
				„ Licensing passenger boats	13	15	–
				„ Summonses	2	17	–
				„ Affidavits and declarations	8	7	6
				„ Entries in rough book for bindings, &c.	19	1	–
				„ Discount on stamps	2	–	6
				„ Searches and registering mortgages.	2	9	–
				„ Certificates	–	13	–
				„ Books, &c., sold	2	10	8
				„ Rents	95	11	2
				„ Dividends on stock	49	7	8
£.	2,062	10	10	£.	2,062	10	10

POOR'S ACCOUNT.

	£.	s.	d.		£.	s.	d.
By Cash: Poor watermen of Westminster, dividends on trust stock.	41	8	3	To Cash: Balance of Account	35	9	7
„ Pensioners	606	10	–	„ Dividends on stock	620	14	11
„ Ditto quarterage	31	10	9	„ Rents of Sunday ferries	249	19	–
„ Inmates of asylum	124	16	–	„ Compensation for loss of ferry	50	–	–
„ Stamps on leases	2	14	–	„ Fines received at courts of complaints.	20	9	6
Balance carried down	173	4	11	„ Poor's box	3	10	11
£.	980	3	11	£.	980	3	11

CHURCH REPAIR ACCOUNT.

	£.	s.	d.		£.	s.	d.
By Cash: Repairs	7	10	–	To Cash: Dividends on stock	6	16	8
„ Invested	11	1	8	„ Retained out of pew rents	11	15	–
£.	18	11	8	£.	18	11	8

	£.	s.	d.		£.	s.	d.
Cash at Banker's	808	–	5	Balance of Company's account brought down.	641	8	7
Ditto in Clerk's hands	6	13	1	„ Poor's account	173	4	11
£.	814	13	6	£.	814	13	6

Audited, *Thos. Pillow*, jun.
Jno. R. Berry.
Wm. Bromley.
Wm. Winn.

App. No. 3.

PAPERS handed in by Mr. *J. B. Towse.*

NUMBER of PASSENGERS embarked by the CITIZEN and IRON BOAT STEAM PACKET COMPANIES at the CITY and OLD SHADES PIERS.

		Landed at Old Swan Pier.			Landed at Old Swan Pier.
In the Year 1852 -	553,450	514,199	In the Year 1857 -	521,956	493,330
„ 1853 -	547,602	527,811	„ 1858 -	448,360	417,690
„ 1854 -	582,594	541,396	„ 1859 -	1,134,532	984,600
„ 1855 -	499,944	448,346	„ 1860 -	1,228,678	1,084,847
„ 1856 -	540,060	496,007	„ 1861 -	1,270,296	1,155,616

REPORT of the Master of "Sibyl," relative to the Sinking of that Vessel at London Bridge, 7th March 1863.

LAMERTON, Captain of the "Sibyl," attended the Board, and reported that he left Woolwich about a quarter-past nine o'clock on Saturday morning, and arrived off Fresh Wharf about a quarter to eleven. When about three boats' lengths from London Bridge he eased the vessel, as it was rather a low tide; just after, and when about a boat's length from the bridge, he felt her strike against something under water, which he believed to be a stone. He immediately sent his mate below to see if any damage was done; he received a reply that the water was coming into the vessel very fast; he then determined not to move her, fearing she might settle down in deeper water. The "Swift" being at Allhallows, he hailed her; and with the assistance of that vessel, and boats sent off by Mr. Beardmore and Mr. Smith, who were at London Bridge Wharf, the whole of the passengers, about 300 in number, were landed safely. Great alarm prevailed amongst them (for the vessel was fast filling,) whilst they were being landed; and had it not been for the very prompt assistance rendered, a serious loss of life must have ensued. He then dispatched his mate to Woolwich, to acquaint Mr. Giddings of the accident. The tide commenced flowing very shortly after, leaving him no time to provide means to lift the vessel. After watching her for some time, he observed her suddenly turn over, and at the next low-water discovered the boiler was capsized out of her.

The "Sibyl" remained under water several days, and after many ineffectual attempts, she was lifted on Thursday the 12th March, when she was found to have sustained very considerable damage. Under-watermen were employed by the Company to feel for the stone it was presumed the "Sibyl" struck upon; and having succeeded, they discovered that such stone projected above the bed of the river 2 feet 3 inches in the direct channel taken by steam-vessels going westward of London Bridge; they afterwards lifted the stone, which they found to be of the following dimensions—viz., 3 feet long, 1 foot 8 inches wide, and 2 feet 7¾ inches deep, with a projecting piece in addition of 1 foot 1 inch, and weighing above 10 cwt. The watermen, in probing for this stone, also felt many others in the immediate neighbourhood.

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2. Complaints on the part of the Fishmongers' Company, &c.—*continued.*

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1. *Generally as to the course pursued by the Conservators in the Erection of Steam-boat Piers.*
2. *Number of new Piers erected, and great improvement thereby.*
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Watermen's Company:

1. *Jurisdiction of the Company previously to and under the Act of* 1859.
2. *Objection to the Monopoly or Control of the Company in regard to the Navigation of Barges, &c.*
3. *Evidence in defence of the Control exercised by the Company.*
4. *Number and Character of the Watermen and Lightermen.*
5. *Question as to the Company being represented at the Conservancy Board.*
6. *Other particulars generally.*

1. *Jurisdiction of the Company previously to and under the Act of* 1859:

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See also *Board of Conservators*, 6. *Cranes. Foreshore. Humphery, Alderman.*

Width of River. Importance of navigable rivers being as much as possible equalised in width, and gradually widening towards the outlet, *Leach* 1146–1153. 1165–1166—— Expediency of the principle of uniformity of width of the river, and steps taken by the Conservators towards an approach to this principle, *Sulivan* 1378–1382. 1385—— Obstacle to any extensive widening of the navigable channel by dredging, *Tucker* 2123, 2124. 2187–2189.

Windings of River. Improvement if certain bends in the river could be obviated by straight cuttings; insuperable impediment to this, *Sulivan* 1384.

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REPORT

FROM THE

SELECT COMMITTEE

ON

THAMES EMBANKMENT (NORTH SIDE) BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

APPENDIX, AND INDEX.

Ordered, by The House of Commons, *to be Printed,*
28 *April* 1863.

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Mercurii, 11° *die Martii*, 1863.

Thames Embankment (North Side) Bill, read 2°, and committed to a Select Committee.

Martis, 17° *die Martii*, 1863.

A Select Committee was nominated accordingly, as follows:—

Mr. Cowper.	Mr. Tite.
Mr. William Cubitt.	Mr. Western Wood.
Mr. Bramston.	Mr. Ayrton.

Five Members to be nominated by the Committee of Selection.

Ordered, That the Committee have power to send for Persons, Papers, and Records.

Ordered, That Five be the quorum of the Committee.

Mercurii, 18° *die Martii*, 1863.

Ordered, That Mr. Western Wood be discharged from the Committee, and that Mr. Crawford be added thereto.

Veneris, 20° *die Martii*, 1863.

The Committee of Selection nominated—

Lord John Manners.	Mr. Clay.
Sir James Buller East.	Mr. More O'Ferrall.
Mr. Edward Egerton.	

Lunæ, 23° *die Martii*, 1863.

The following Petitions were referred to the Committee, from—

The Strand District Board of Works.

St. Mary Abbotts, Kensington, Vestry.

Martis, 24° *die Martii*, 1863.

The Committee of Selection discharged Mr. More O'Ferrall, and added Mr. Holland to the Committee.

The following Petitions were referred to the Committee, from—

St. Pancras Vestry.

Limehouse District Board of Works.

Ordered, That the Petitions presented to this House respecting the Thames Embankment (North Side) Bill be referred to the Committee, and that such Petitioners as shall have prayed to be heard by themselves, their Counsel or Agents, be heard upon their Petitions if they think fit, and Counsel heard in favour of the Bill against such Petitions.

Mercurii, 25° *die Martii*, 1863.

Petition of St. Martin-in-the-Fields Vestry, referred to the Committee.

Jovis, 26° *die Martii*, 1863.

Petitions from Greenwich District Board of Works, Whitechapel District Board of Works, Vestry of St. Matthew, Bethnal Green, Vestry of St. George's, Southwark, and Bermondsey Vestry, referred to the Committee.

Veneris, 27° *die Martii*, 1863.

Petitions from the Vestry of St. Mary, Islington, St. Giles' District Board of Works, Holborn District Board of Works, referred to the Committee.

Lunæ, 13° *die Aprilis*, 1863.

Petition from the Rotherhithe Vestry, referred to the Commitee.

Mercurii, 15° *die Aprilis*, 1863.

Petition from the Lewisham District Board of Works, referred to the Committee.

Jovis, 16° *die Aprilis*, 1863.

Petitions from Haçkney District Board of Works, and St. Giles', Camberwell, Vestry, referred to the Committee.

Lunæ, 20° *Aprilis*, 1863.

Petition from the Plumstead District Board of Works, referred to the Committee.

The following Petitions stand referred to the Committee, under the Order of March 24th :—

Fulham Board of Works.

Wandsworth Board of Works.

Vestry of St. James, Westminster.

Westminster Board of Works.

Hackney Board of Works.

Corporation of London.

Henry Norris.

Promoters of Ludgate Station and Junction Railway Bill.

London, Chatham and Dover Railway Company, on Clauses.

Commissioners of Sewers for City of London, &c.

Martis, 28° *die Aprilis*, 1863.

Ordered, That the Committee have power to Report the Minutes of Evidence taken before them to The House.

REPORT.

THE SELECT COMMITTEE on the THAMES EMBANKMENT (NORTH SIDE) BILL report, That they have examined the allegations of the Bill, and found the same to be true; and have taken Evidence on the Bill, which they have agreed to report to The House; and have gone through the Bill, and made Amendments thereunto.

28 April 1863.

PROCEEDINGS OF THE COMMITTEE.

Martis, 21° *die Aprilis*, 1863.

MEMBERS PRESENT:

Mr. COWPER in the Chair.

Mr. Tite.	Mr. Clay.
Mr. Ayrton.	Mr. Holland.
Mr. Edward Egerton.	Sir James Buller East.
Lord John Manners.	Mr. Bramston.
Mr. Crawford.	

Mr. *Cowper* called to the Chair.

Mr. *Hope Scott*, Mr. *Phinn*, and Mr. *Johnson*, appeared as Counsel in support of the Bill.

Agents:—Messrs. *Dyson & Co.*

Petitions against the Bill read.

1. Promoters of Ludgate Station and Junction Railway Bill.

   Agents:—Messrs. *Dorington & Co.*

2. London, Chatham, and Dover Railway.

   Agents:—Messrs. *Dorington & Co.*

3. Corporation of London.

   Counsel:—Sir *William Alexander*, Mr. *Russell Gurney*, and the Common Serjeant.

   Agents:—Messrs. *Dorington & Co.*

4. Commissioners of Sewers of the City of London.

   Counsel:—Mr. *Calvert*, and Mr. *Clerk*.

   Agents:—Messrs. *Simson, Trail & Wakeford.*

5. Henry Norris.

   Counsel:—Mr. *Loch*.

   Agents;—Messrs. *Loch & Maclauren.*

The other Petitions were also read, but no parties appeared in support thereof.

Mr. *Hope Scott* opened the case in proof of the Preamble of the Bill.

Mr. *Joseph Bazalgette* examined.

[Adjourned till To-morrow, at Twelve o'clock.

Mercurii, 22° *die Aprilis*, 1863.

MEMBERS PRESENT:

Mr. COWPER in the Chair.

Sir James Buller East.	Mr. Bramston.
Lord John Manners.	Mr. Ayrton.
Mr. Crawford.	Mr. Holland.
Mr. Edward Egerton.	Mr. Cubitt.
Mr. Clay.	Mr. Tite.

Mr. *Hope Scott* was heard to object to the *locus standi* of the Corporation of London as petitioners.

Sir *William Alexander* was heard in support of the Petitioners.

Mr. *Phinn* heard in reply.

Room cleared.—The Committee deliberated.

Resolved, "That the Corporation of London be heard on the allegations in their Petition."

Parties called in, and informed thereof.

Sir *Richard Mayne*, Mr. *George Hemans*, *John Fowler*, *Joseph Bazalgette*, *George Pownall*, *Henry Hunt*, and *John Shaw*, severally examined.

[Adjourned till To-morrow, at Twelve o'clock.

Jovis, 23° *die Aprilis*, 1863.

MEMBERS PRESENT:

Mr. COWPER in the Chair.

Mr. Ayrton.	Sir James B. East.
Mr. Bramston.	Mr. Edward Egerton.
Mr. Clay.	Mr. Holland.
Mr. Crawford.	Lord John Manners.
Mr. William Cubitt.	Mr. Tite.

Mr. *Frederick Goddard* and *George Hatton* examined.

Mr. *Joseph Bazalgette* further cross-examined.

Mr. *Johnson* stated that he had concluded the case on the part of the Promoters of the Bill.

Sir *William Alexander* heard on behalf of the Petition of the Corporation of the City of London.

Mr. *Joseph Duddy*, *John Foulger*, and *Adam Shalford*, examined.

Mr. *Joseph Bazalgette* examined by the Committee.

Mr. *John Hawkshaw* and *Alfred Allen* examined.

[Adjourned till To-morrow, at Twelve o'clock.

Veneris, 24 *die Aprilis*, 1863.

MEMBERS PRESENT:

Mr. COWPER in the Chair.

Mr. Bramston.	Lord John Manners.
Sir James Buller East.	Mr. Crawford.
Mr. Tite.	Mr. Holland.
Mr. Ayrton.	Mr. Clay.

Mr. *Thomas Harrison* and *Benjamin Scott* examined.

A copy of Correspondence from the Chief Commissioner of Works was handed in.

Mr. *Russell Gurney* stated that he had concluded the case on the part of the Corporation of London.

Room cleared.—The Committee deliberated.—Parties called in.

Mr. *Calvert*, on behalf of the Commissioners of Sewers of the City of London, heard in opposition to the Preamble of the Bill.

Mr. *William Haywood* examined.

[Adjourned till Monday next, at Twelve o'clock.

Lunæ, 27 *die Aprilis*, 1863.

MEMBERS PRESENT:

Mr. COWPER in the Chair.

Mr. Clay.	Mr. Ayrton.
Mr. Holland.	Mr. Tite.
Mr. Edward Egerton.	Sir James Buller East.
Mr. Crawford.	Mr. Cubitt.
Lord John Manners.	

The following Petitions against the Bill were read:—

1. Farringdon Without.
2. Board of Works for the Plumstead District.
3. Vestry of St. Giles, Camberwell.

No person appeared in support thereof.

Mr. *William Haywood* further examined.

Mr. *Thomas Barlow* examined.

Mr. *Calvert* stated that he had concluded the case on the part of the Commissioners of Sewers of London in opposition to the Bill.

Mr. *Hope Scott* was heard to apply for leave to recall Mr. Bazalgette.

Room cleared.—The Committee deliberated.

Resolved,

Resolved, "That the Committee do re-examine Mr. Bazalgette."

Parties called in, and informed thereof.

Mr. *Joseph Bazalgette* further examined by the Committee.

Mr. *Hope Scott* replied on the whole case, in support of the Preamble of the Bill.

Room cleared.—The Committee deliberated.

Question put, "That the Preamble of the Bill is proved."—The Committee divided:

Ayes, 8.	Noe, 1.
Mr. Clay.	Mr. Ayrton.
Mr. Holland.	
Mr. Egerton.	
Mr. Crawford.	
Lord John Manners.	
Mr. Tite.	
Sir James Buller East.	
Mr. Cubitt.	

Parties called in, and informed of the decision of the Committee.

The Committee proceeded with the Clauses of the Bill.

On Clause 3 being read, limiting the Metropolitan Board of Works to taking parts of Mr. Henry Norris' property,—

Mr. *Loch* was heard on behalf of the Petition of Henry Norris, and offered a Clause on his behalf.

Mr. *Bazalgette* further examined.

Room cleared.—The Committee deliberated.

Resolved, "That the Committee will not call on the Counsel for the Petitioner to proceed with his case further, no sufficient case having been made out that would justify the insertion of the proposed Clause."

Parties called in, and informed thereof.

[Adjourned till To-morrow, at Twelve o'clock.

Martis, 28° *die Aprilis,* 1863.

MEMBERS PRESENT:

Mr. COWPER in the Chair.

Sir James Buller East.	Mr. Holland.
Mr. Ayrton.	Mr. Egerton.
Lord John Manners.	Mr. Clay.

The Committee went through the remaining Clauses of the Bill, and made amendments thereunto.

Ordered, To Report, together with Minutes of Evidence.

LIST OF WITNESSES.

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MINUTES OF EVIDENCE

Martis, 21° *die Aprilis*, 1863.

MEMBERS PRESENT:

Mr. Ayrton.	Mr. Holland
Mr. Bramston.	Sir James Buller East.
Mr. Clay.	Mr. Edward Egerton.
Mr. Cowper.	Lord John Manners.
Mr. Crawford.	Mr. Tite.
Mr. Doulton.	

THE RIGHT HON. W. F. COWPER, IN THE CHAIR.

21 April 1863.

Mr. *Hope Scott*, Mr. *Phinn*, and Mr. *Johnson*, appeared as Counsel for the Promoters.

Messrs. *Dyson & Co.* appeared as Agents.

The Petition of Henry Norris against the Bill was read.

Messrs. *Loch & Maclaurin* appeared as Agents.

The Petition of the Corporation of the City of London against the Bill was read.

Sir *W. Alexander*, Mr. *Russell Gurney*, and Mr. *T. Chambers*, appeared as Counsel.

Messrs. *Dorington* appeared as Agents.

The Petition of the London, Chatham, and Dover Railway Company against the Bill was read.

Messrs. *Dorington* appeared as Agents.

The Petition of the Promoters of Ludgate Station and Junction Railway against the Bill was read.

Messrs *Dorington* appeared as Agents.

The Petition of the Commissioners of Sewers of the City of London and the Liberties thereof against the Bill was read.

Mr. *Calvert* and Mr. *Clerk* appeared as Counsel.

Messrs. *Simpson, Traill & Co.* appeared as Agents.

Mr. *Hope Scott* was heard to open the case of the Promoters.

Joseph William Bazalgette, Esquire, was called in, and Examined by Mr. *Phinn*, as follows:

J. W. Bazalgette, Esq.

21 April 1863.

1. ARE you engineer-in-chief of the Metropolitan Board of Works?—I am.

2. You have under your superintendence, I believe, the other great works in which they are engaged?—I have.

3. That is the Main Drainage, the Thames Embankment, and the new street?—And the new street.

4. I may ask you in passing the Thames Embankment Act, which passed last year, I believe you furnished designs for, and you are making progress, as far as testing the river, and so on, goes?—We have completed making the borings, learning the character of the foundation, upon that we have completed the designs; they have now been submitted, as required by the Act, to the Thames Conservators and the Admiralty, for their approval. When that is obtained, they will let their contracts, very probably, in the course of next June.

5. Now, I believe also, that you have designed this proposed new street?—I have.

6. First of all, will you state its length from the point where it joins the proposed line of embankment to the Mansion House?—The total length is 3,450 feet.

7. What is its average breadth throughout its course; I say its average designedly?—Its average width is 70 feet.

8. I ought, perhaps, rather to have asked you its maximum breadth at any place?—Its breadth is 70 feet throughout, with two exceptions. One exception is that short length, New Earl Street, which is 60 feet wide, which was constructed some few years ago by the City; and the other exception is the widening at Blackfriars Bridge, where the traffic would cross.

9. Lord *John Manners*.] What will it be there; you may as well give the width?—It will be 130 feet wide at the narrowest point.

10. Mr. *Phinn*.] Is that between curb and curb?—No; between house and house.

11. What will it be between curb and curb?—About 100 feet.

12. Now you say that it is 60 feet near New Earl Street. Could that have been avoided?—It could only have been avoided by taking down the new houses which have been built in forming that new portion of the street at considerable cost, and those houses can be taken down at any future time without at all interfering with this design.

13. That is, supposing the neck of the street to be gorged with traffic, and the necessity exists, you can take those houses down without interfering with the road?—You could do so. The length of New Earl Street is about 220 feet.

14. Having asked you the general features of your proposed new street, will you be good enough to point out in what it differs from the proposed line of street recommended by the Royal Commissioners of 1861?—It differs mainly in the levels, and in the mode of forming the connexion of the cross streets with the new street. The levels are generally improved, as well as the levels of the new streets running into it. I will follow that, giving the levels of the new street as now proposed. The new street, as laid before the Committee, would have an inclination of 1 in 50 up the approach of Blackfriars' Bridge; up or down, whichever way you are going. From the bridge, it would fall 1 in 50. Having left the bridge, and coming upon the new street, there is no inclination steeper than 1 in 70. Now, taking this as a parallel line from the West to the City, it would be, compared with the rise up Ludgate-hill, which is the next parallel line, which is 1 in 30, the new line of street may be considered to run parallel to the Strand, passing up Ludgate-hill to the City, or taking the Oxford-street and Holborn line of thoroughfare, and passing up Holborn-hill to the City, the greatest inclination would be 1 in 15. Now, supposing this street to be completed, there will be three main lines of thoroughfare from east to west. The first would be along Oxford-street, Holborn, down Holborn-hill and Skinner-street; the second, along the Strand and up Ludgate-hill; and the third, by the new line along the Thames Embankment. The great advantage of this road over the other two is, that the steepest part of Holborn-hill is 1 in 15, the steepest part of

of Ludgate-hill is 1 in 30; the steepest part of this street will be 1 in 70. The approach for a short distance up the approach of Blackfriars will be 1 in 50.

15. Lord *John Manners.*] In coming from the West, 1 in 50 is your worst gradient?—And that for a very short length.

16. Mr. *Phinn.*] Now, you have contrasted it with the alternative routes, contrast it now in its levels with the street as proposed last year; which has the advantage?—This has the advantage. I have not the section before me of the street proposed last year, but a very considerable portion of that street was 1 in 50; and no street has as yet been proposed with as favourable gradients as the one now before the Committee. From Printer-street to Huggin-lane the inclination is 1 in 70, rising towards the City.

17. Sir *W. Alexander.*] Is that near Bridge-street?—If the Committee will take this map before them, they will see the names of the streets.—(*The Witness handed a Map to the Committee.*)—From Printer-street to Huggin-lane the inclination is 1 in 70; there is a gradual rise of 1 in 70.

18. *Chairman.*] You are speaking of the plan of 1862?—No, I am speaking of the plan of this year now before the Committee. From that point to Bow-lane, it is 1 in 248; from thence to Queen-street, 1 in 167; from Queen-street to Sise-lane, 1 in 100; thence to Bucklersbury level; and thence to the Mansion House 1 in 225. In plan the principal alteration is in the mode of connecting the side streets with the new street. The difference of level between Thames-street and St. Paul's or Cannon-street, Thames-street on the south and Cannon-street on the north, is so great that the streets now rise at an inclination of 1 in 12 to 1 in 14.

19. Take the difference of level first between the two extreme points which you have indicated; what is the difference of level between the streets that you pointed at?—Twenty-five to 30 feet.

20. Between Cannon-street and what?—Between Cannon-street and Thames-street; it varies in different places, but that I think may be taken as the average. However, the sections show that the inclinations of the streets leading from Thames-street up to Cannon-street at the present time are 1 in 12 to 1 in 14.

21. You have, as far as you can, lowered the level to avoid blocking up those streets?—We have, by diversions, such as I will describe, avoided increasing the steepness of those streets.

22. Now just describe to the Committee how you have effected that object?—I will take, for instance, Bennet's-hill. Bennet's-hill rises at an inclination of 1 in 14.

23. It would be convenient that, while you speak, somebody should follow you with a wand; perhaps Mr. Conquest will do it for you?—Bennet's-hill at present rises at an inclination of 1 in 14. As the road is level from side to side, and 70 feet wide, it would be necessary to raise Bennet's-hill steeper to get up the road and to depress it on the other; and to avoid that Bennet's-hill is made to come down to the level of the new street on the north side, and to take a bend to the west on the south side, and so the inclination is maintained of 1 in 14. The same arrangement has been made in Lambeth-hill, Old Fish-street-hill, and Bridge-street-hill.

24. So that communication between those streets and the proposed new line of road will be facilitated as much as possible from the nature of the ground?—It would.

25. Now, to come to another point, be good enough to point out to the Committee wherein your scheme differs from the scheme of last year in its junction with the proposed new Blackfriars' Bridge, the point where the embankment meets the roadway?—The scheme proposed last year was to run in a direct line from the north end of Blackfriars' Bridge towards the upper end of Puddle Dock, the blue place marked upon the Plan there. It is best shown upon the two models which, unfortunately, there is not room to put upon the table. The reason we have made an alteration from that line is simply this, that it crossed Earl-street at a low point. Earl-street, therefore, had to be raised 3 feet 6 inches to get up to the level of the new street. It was proposed to be so raised with an inclination of 1 in 30, which for so important a line as Upper Thames-street and Earl-street and the heavy traffic upon it, would have been very objectionable; but further in raising Earl-street, the mouths of four important docks would be

J. W. Bazalgette, Esq.

21 April 1863.

stopped up or the inclinations from the river to Earl-street would have been made so steep as materially to interfere with the traffic.

26. Point out where those docks are upon that model?—These are the docks and wharves. (*The Witness pointed out the docks and wharves.*)

27. Immediately to the eastward of the proposed street?—Hood's wharf, Purfleet wharf, St. Andrew's wharf, Vulcan wharf, and Puddle Dock. I should state that Hood's wharf and Purfleet wharf are, I believe, either purchased or about to be purchased by the railway company; but not so with the remaining three.

28. Then you avoid obstructing the entrance, egress and ingress to those docks?—We do.

29. You also take the building of the insurance office, which was avoided by the line of last session?—We do.

30. Has that been determined upon on a balance of advantages and disadvantages?—It has. The object of that is to give that curve, and to produce that uniform or nearly uniform line of communication shown upon the Plan.

31. It involves a question of considerable expense on the one hand?—It does.

32. And on the other hand it gives a more perfect and easy communication?—It does.

33. Now, looking at the balance of the two, you have thought it better to incur the expense of the purchase, than to disfigure your street?—Yes.

34. Will you be good enough to show us that building?—Yes. (*The Witness pointed out the same on the Map.*)

35. Well now, you propose to construct this street, I think, as you do all new streets, with a subway, do you not?—We do.

36. What are to be the dimensions of that subway?—Allow me to show the Plan to the Committee. Here is a plan which represents the way in which the subway is constructed under the new street of Southwark; that being a street of about this length and the same width. The cellars of the houses on either side project under the road. The subway is a semi-circle, with a radius of about six feet; being, therefore, 12 feet wide at the bottom, and 6 feet high, with passages to every two houses from the subway, to enable gas and water pipes to be laid on to the houses, and looked after, without interrupting the paving of the streets.

37. Sir *W. Alexander.*] How do you get access to your subway?—By side entrances formed in the street.

38. Lord *John Manners.*] Has each house a side entrance?—No; one probably in a quarter of a mile. The side entrance is always placed at some convenient locality, where it can be most out of the way; it is like the entrance of a sewer, a gate opening.

39. *Chairman.*] A trap?—Yes, and lets the people down by a ladder, or by steps; in this case we have steps to make it more convenient.

40. Mr. *Phinn.*] By that you convey telegraph wires and gas-pipes?—Yes, and water-pipes, and so on.

41. Have you had actual experience of this in the metropolis?—Yes.

42. Where?—One in the Southwark-street, in the street from Blackfriars' Bridge to the High-street, Southwark, and another the Covent Garden approach.

43. It is an expensive construction, is it not?—It is.

44. I will come to your estimate presently for the whole; we will defer that for a moment; I shall only ask you as to the estimate of the works, what estimate do you make for the necessary works for this street as distinguished from the land and taking down the houses?—My estimate is 51,000*l.*

45. Is that nett?—Yes, there is no return from the works.

46. Does that include the subway?—That includes everything. That sum is made up in the following manner: formation of the roadway and paving, 22,877*l.*, or about half the amount; the cellars, the subway, the sewer and approaches make up the other half; cellars, 12,079*l.*; subway, 9,250*l.*; sewer, 1,000*l.*; that is to say, the intercepting sewer would run along part of this line, and is not included in this estimate; formation of approaches, 1,000*l.*; contingencies for things which cannot be foreseen now, 4,794*l.*

47. The sewer will come out of the main drainage fund?—The rest of the sewer will come out of the main drainage fund; it is simply 1,000*l.* for a short length falling into the main intercepting sewer.

48. Now,

48. Now, you have spoken of paving; is that paving of the footway as well as of the street?—Yes.

49. Is the street going to be paved or macadamised?—Paved; granite pavement; the street will be formed in the manner shown upon this drawing which the Committee have seen.

50. Now, looking at the scheme, do you think it a good scheme for relieving the alternative routes of their superabundant traffic, and that it will afford a better access to the Mansion House from the western districts of the metropolis than we have at present?—Unquestionably.

Cross-Examined by Mr. *Calvert*.

51. I believe your proposal is, that the paving and the sewer should be handed over to the Commissioners in the City?—Yes, I presume so.

52. Well, now, with regard to the subway, what do you propose to do with that?—We retain that in our own hands.

53. Why is that not transferred to the Commissioners of Sewers, as well as the other?—It would be exceedingly inconvenient that the Metropolitan Board of Works should have control over part of that subway, and another body have control over another part.

54. What use have you made of the subways, that you have already made?—We have had gas and water-pipes laid in.

55. Have you placed them in any of those subways?—We have.

56. You have a subway under Covent Garden?—Yes.

57. Have you placed gas and water-pipes there?—We have.

58. You have a subway at New-street, Govent Garden?—Yes.

59. Have you placed gas and water-pipes there?—Not yet.

60. How long has that been made?—It is not completed yet; one-half of it was opened last year, and another half will be opened at the end of the present year.

61. Now, I want to know what will be the inconvenience if this subway were handed over to the local authorities; you say, generally, there would be inconvenience; what is the nature of that inconvenience?—In the first instance, before gas and water companies or telegraph companies can be allowed to lay down their pipes under these subways, it must be done under some general restrictions, and general supervision, to prevent injury to the subway, and bad laying or accidents; and if there were divided responsibility upon that point, it might be very objectionable indeed. Again, the Metropolitan Board of Works have the control of all the main sewers; all the main lines passing through the City; and this is a general system of subway which partakes more of a general system than sewers.

62. Does this subway pass through the City, or begin in the City, and end in the City?—It passes through the City. If you speak of this particular roadway, the whole of this is in the City, but this subway is to extend to Charing Cross and Westminster Bridge, and probably to be extended hereafter from one end of London to the other.

63. What are the limits of that at present?—This Bill is for a road and subway from Blackfriars' Bridge to the Bank, which is within the City, but it is in connexion with the Bill of last year, which is all, or mainly, beyond the City.

64. Now, do you mean that the subway, that is now proposed in this Bill, is to be connected with a subway, contained in the Bill of last year?—Yes, I do.

65. Is there any clause enabling you to make a subway in the Bill of last year?—I believe so. I am sure there is a clause empowering the Metropolitan Board to do it, and they have determined to do it.

66. Have you any plan for making it?—Yes.

67. Does that subway unite itself with the subway now under consideration?—It will. It will become part of one general system.

68. Mr. *Ayrton*.] Can you refer the Committee to the Private Acts under which you have made the subways, and the improvements to which you have referred?—You shall be furnished with those.

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Cross-Examined by Mr. *Russell Gurney*.

69. You have been concerned for the Metropolitan Board of Works for some time, I think?—I have.

70. Were you engaged for them at the time of the construction of the street in the neighbourhood of Covent Garden?—I was.

71. What was the estimate for that street?—I really can hardly tell you.

72. Was it not 30,000 *l.*?—I think it was.

73. What has been the expense of that?—That I cannot tell, because that does not come within my province. I have given you an estimate for the works without reference to the purchase of property. In that case I gave an estimate for the works also, and also of the street in Southwark, without reference to the property, and I shall execute the works within my estimate.

74. Are you not aware that the expense of that street has been 70,000 *l.*?—I am not aware of the amount; it has exceeded the estimate.

75. Double, has it not?—I do not know that.

76. Do you not know that it is above 70,000 *l.*?—I do not indeed.

77. When was it that the Metropolitan Board of Works had power to construct the street on the south side of the river?—I think in 1858.

78. Was it not in 1856?—No, I think the Board were only constituted in 1856.

79. How much of that street is constructed?—One-half of the street is open to the public, and has been now for a considerable time; the other half will be opened at the end of this year.

80. They have been six years about that street?—Yes.

81. Is there a house built in it yet?—Yes, several.

82. How many?—That I cannot tell you.

83. Are you sure that there are two?—Oh, yes; I am sure there are more than two; I was through the street some time ago, and I saw that there were more building.

84. How many houses are built in Covent Garden-street?—Well, I cannot tell you.

85. The greater part of the ground is still untaken, is it not?—I think it is, but I cannot speak certainly; it may have been taken without my knowledge.

86. Pray what was the estimate for the intercepting sewers; main drainage works?—£. 3,000,000.

87. Have you ascertained that it has exceeded the estimate by a million and three quarters; what excess has been ascertained already over the estimate of 3,000,000 *l.*?—There are a large number of additional works.

88. But independent of any additional works, what excess has been ascertained as regards the actual expenditure?—Something like 20 per cent.

89. Do you mean only 600,000 *l.*?—That is all.

90. What is the proportion of the expense for the works to the north of Cannon-street?—I have not divided my estimate so as to give you that.

91. Can you give it us pretty nearly?—I could take it as a proportion. It would only be one-third of the whole cost.

Re-Examined by Mr. *Phinn*.

92. You have stated that you took six years, I think, to complete that Southwark-street; what time did you originally contemplate as necessary for its completion?—I forget what the estimate was.

93. What was the time?—I forget what the time was.

94. Have you had any difficulty, by railways crossing it, and having to adjust your street to their plans?—Yes; and, besides, we have gained experience in the formation of that street, that will enable us to proceed more rapidly in forming another street.

95. That street is crossed by the London, Chatham & Dover Railway, is it not?—Yes.

96. And you were delayed, by reason of their delay, in crossing that street?—Yes.

97. Lord *John Manners*.] Are you aware of any inconvenience that might arise

arise from the street being under one jurisdiction and the subway under another?—None whatever; that is precisely what we have done with the new street in Southwark; and we find no inconvenience arising from it.

98. In whom is it vested there?—In the Vestry of Southwark.

99. Do you contemplate, at any time, the necessity arising on the part, either of those in whom the street is vested, to interfere with the subway, or, on the part of those in whom the subway is vested, to interfere with the street?—I see no reason why that should be so.

100. Mr. *Crawford.*] Can you separate the estimate for that part of the street which lies to the northward, and that part which lies to the southward?—I could do it in twenty-four hours; but the proportion I have given you will be very near it—one-third of 50,000 *l.*

101. Mr. *Ayrton.*] Will you be good enough to explain what is the breadth of the street where it leaves Earl-street and the new street; they seem to be one?—It is variable there.

102. Where it leaves Earl-street?—About 110 feet.

103. What is the breadth of the street immediately after it has left Earl-street?—Seventy feet.

104. Then, is that which is shown as a double street on a different elevation?—It is.

105. What is the necessity for that different elevation?—Because the new street is rising to the Bank; Earl-street is falling into Upper Thames-street, one is rising and the other falling.

106. What would be the gradient of the new street if it sprang from Earl-street?—It does spring from Earl-street.

107. But from the east end of Earl-street?—There Earl-street and the new street are the same level.

108. What would be the difference of level if the new street came into the east end of Earl-street, instead of coming from the middle of it, as it does now. What would be the difference of level in the new street?—No difference whatever.

109. Would it not have to fall somewhat more?—No.

110. Then the gradient would be the same?—Yes.

111. Did the City make that part of Earl-street broader with the view of making it in connexion with the improvement of Cannon-street?—I cannot tell you what their object was. I should think it was made broader beforehand, not in connexion with that extension, because it is not so wide; it is about 35 feet wide.

112. Earl-street is wide up to that point?—Thirty-five feet wide.

113. And then it suddenly contracts?—Yes.

114. For what purpose is it made broader?—I cannot tell you.

115. What is the breadth of the new street springing from Cannon-street already made by the City?—Sixty feet.

116. Can you state what was the cost of widening the street at the back of the Mansion House when it was proposed to make an improvement that way down to Cannon-street?—No, I cannot.

117. Is the new railway that is being made into the City coming to Cannon-street at the back of the Mansion House?—Yes, it is.

118. The works are going on for that, are they not?—They are.

119. Have you had your attention directed to the Report of the Parliamentary Committee, that when railways are making works within the area of the metropolis, it is extremely expedient that works of improvement should be carried on in connection with them and in relation with them, so as to economise generally the public funds?—I have.

120. Did you consider it necessary, in laying out this new street, to have regard to the fact that a railway coming into the City is coming into Cannon-street and at the back of the Mansion House?—I do not know how that would affect this street at all.

121. Will not that station be a very large station at the back of the Mansion House, and not far from the Bank, and will there not be an extremely narrow and inaccessible street between the new street and the Bank?—I do not know where their station would be placed, or what the addition would be.

122. Having regard to the Report of the Committee of the House of Commons recommending that these things should be considered, have you examined the

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project, the railway now being constructed, in order to inform yourself exactly where the station of that railway company will be?—No.

123. I understand you to say that you have laid out this new street without considering that matter?—Without reference to that matter.

124. Or without knowing where the new station will be?—Yes.

125. Then you have not taken into consideration the recommendations of the Committee to which I have referred?—I should rather take the view that the railway company should place themselves upon a main thoroughfare than that the public should pay for putting the thoroughfare in the line of the railway station.

126. Have you at all considered the fact when a railway station is going to be made in Cannon-street at the back of the Mansion House, how far it is necessary to lay out the new street in relation to the railway station?—I should not propose to do that.

127. And the means of improving the communication between that railway station and the Bank?—No; I apprehend that is a question for the railway company to provide approaches for their own station.

128. Did not the Committee of the House of Commons recommend that the Metropolitan body should co-operate with the Railway Company in order to secure as much as possible the public convenience, with the least possible charge, by the two co-operating together for a common end?—Yes, so far as possible.

129. Yet you have designed this street without ever informing yourself where this railway station is to be at all?—I have designed this street without reference to that, because I am sure that another route for this street would be of less public convenience.

130. With reference to the question of public convenience, would not access to the City be far better obtained to the very heart of it, if the station were taken to the back of the Mansion House?—I think not.

131. You think that it would not be of public advantage if the passengers came to the back of the Mansion House rather than be deposited in Cannon-street?—I have considered the quesiion of placing the new street (not with reference to the railway) at the back of the Mansion House, and I have come to the conclusion that it would be very much less convenient than the line recommended to the Committee for the public.

132. Do you consider that it is a convenient thing to bring in that street obliquely by the Mansion House rather than at the back of the Mansion House where there would be abundance of open space if the church were pulled down?—I think that that would be a very inconvenient point; at the present time there is an immense stream of traffic from Princes-street along King William-street; another from Cornhill and Threadneedle-street, all uniting at that point; there is generally a block; the traffic is very great north and south, and if Earl-street debouched at that point, it would increase that difficulty very much.

133. Would not the inconvenience to foot-passengers be very great if another large traffic came into that great confluence of streets in the very centre there?—I should think not; the whole traffic now comes down Cheapside in a contracted and dense stream; when it is diverted and carried by a wider street it will be more easy for foot-passengers to cross than now.

134. Will it be more easy for foot-passengers to pass from the Poultry with that corner cut off?—No, it would be more difficult at that point, but more easy to cross the Poultry itself; on the whole, the convenience would be in favor of the foot-passengers.

135. With regard to omnibuses and large conveyances, if they came up that street to the Mansion House, would it not be more convenient if they came along Mansion House-place, pulling down the church, than by coming into all those thoroughfares?—I think not.

136. Mr. *Crawford.*] What is the gradient of Lambeth-hill, between the new street and Upper Thames-street?—One in 13.

137. The object of that new arrangement is to allow traffic to pass through the new street into Upper Thames-street?—To enable a connexion between Lambeth-hill and the new street to be formed.

138. In coming from the new street, what is the gradient?—I think the gradient is very steep; I do not think the turns would increase the difficulty; it is impracticable without that turn.

139. There

139. There are four right angles there; three, certainly, in order to get down?—Two, I think.

140. Coming out of the street would be one, then there are two corners in the street: that would be three?—It would require two.

141. Four; one coming out of the new street; then a second, then a third in the street itself, and then a fourth?—Yes, it would have two additional turns to what it has.

142. Do you think that that would be any accommodation to the traffic between the two streets?—I think it is the only way to form a connexion with streets of that steepness.

143. *Chairman.*] With reference to the communication between the proposed station in Cannon-street and the Mansion House, would not the most direct mode of communication be the widening of Wallbrook on the west side without interfering with the church?—Yes.

144. Has not that communication been considered, and reported upon by a Royal Commission?—I believe it has.

Mercurii, 22° *die Aprilis*, 1863.

MEMBERS PRESENT:

Mr. Ayrton.	Sir James Buller East.
Mr. Bramstone.	Mr. Edward Egerton.
Mr. Clay.	Mr. Holland.
Mr. Cowper.	Lord John Manners.
Mr. Crawford.	Mr. Tite.
Mr. William Cubitt.	

THE RIGHT HON. W. F. COWPER, IN THE CHAIR.

22 April 1863.

Mr. *Hope Scott* was heard to object to the *locus standi* of the Corporation of London as Petitioners.

Sir *W. Alexander* was heard in support of the Petition.

Mr. *Phinn* was heard in reply.

Counsel and parties were ordered to withdraw.

The *Committee* deliberated.

After a short time Counsel and parties were again called in.

The *Chairman* stated that the Committee had unanimously resolved that the Corporation of London be heard on the allegations in their Petition.

Sir *R. Mayne.*

Sir *Richard Mayne*, called in; and Examined by Mr. *Phinn*, as follows:

145. I MUST ask you, as a matter of form, are you Chief Commissioner of the Metropolitan Police?—I am the Commissioner; there is only one.

146. Your authority at present, at any rate, does not extend within the boundaries of the City?—No.

147. But I suppose you are conversant with the drift of the traffic both to and from the City?—Yes, pretty much so.

148. Now, with regard to the traffic as between the City and the West End, and the West End and the City, do you think that some relief is required for persons going, we will say, from the West End to the vicinity of the Mansion House, and *vice versâ*?—As far as the line between Charing-cross and Temple-bar, I can speak very distinctly.

149. You can speak officially there?—I can speak officially that a new street will be a very great advantage. The Strand is constantly crowded, and very great delay is occasioned to people wishing to pass, and great additional trouble to the police in keeping the streets clear; at least, in allowing the traffic to pass.

150. If that relief be not afforded, will not the inconvenience be very much augmented by the construction of the Charing-cross Railway Station, which will pour

pour a great flood of people into the Strand?—Yes, if they want to go up the Strand.

151. Up to the City?—Yes.

152. Then, in your judgment, with regard to parts where you have official authority and control, some relief is very desirable; but I must now ask you to divest yourself of your official costume, and go into the City in your unofficial capacity; do you think that that remark also applies to the City?—I can speak to having very often to pass through the City. I think there is a great need of an additional line of communication up to the centre near the Bank and Mansion House, that extremity that I see marked on the map there.

153. Bearing in mind those disadvantages which at present exist, do you think that this proposed new street will afford good communication for the present large traffic?—I am not able to say whether that is the best line; but, supposing the embankment to end at Blackfriars' Bridge, as I believe it is proposed under the present Bill, I think that a new street, which would avoid Ludgate-hill and the passage through St. Paul's-churchyard, would be a very great advantage.

154. Now, I believe that you were examined last year with reference to the Thames Embankment; and that you then expressed the same opinion that you do now?—I believe exactly, as far as I remember.

Cross-Examined by Mr. *T. Chambers.*

155. I understand you to say that you have no doubt about there being a new street required to relieve the present traffic?—That is all I say.

156. You were asked, by my friend, whether the Charing Cross Railway Station would not have a tendency to increase the difficulties in the Strand, and you said that, supposing people were put down there who wanted to go into the City, it would have that tendency; you are aware that the railway station of the Charing Cross Company is to be in Cannon-street, are you not?—So I understand.

157. Do you not think that the number of persons to be brought to the railway station in Cannon-street will be very great; from the West End, round by the railway to the City, in Cannon-street?—I suppose it would, but a great number of persons, I think, would always go by cabs or omnibuses; I do not think that the whole of the traffic that now goes up, or any very great proportion perhaps of that that now goes up in cabs and carriages would go by a railroad so short a distance; it strikes me so.

158. But, supposing that there is to be a railway station at Cannon-street, at the east end of that street, would it not be important that this new street should be made with some reference to that station?—Yes, I should think so.

159. Therefore, if the line of street has been laid out without any reference to the new station which is about to be constructed there, you think that that is an oversight?—I should suppose so; but that is a matter of engineering perhaps more than of traffic.

160. No; I mean with reference to the accommodation of passengers, who want to get to the Bank and the Mansion House; do you not think that a flood of passengers brought to the railway station, and put out, that the new street should be made to accommodate them?—I should think that it ought to combine the people going to the railway station.

161. Now, looking at the line of the new street, and seeing now where the railway station is proposed to be placed, do you think that the new street is, in the least degree, adapted to accommodate the traffic that will be brought into Cannon-street by that railway?—Into the lower part of Cannon-street, where the station is?

162. Where the station is; assuming that persons want to go to the Bank; if they avail themselves of the new street, they would have to go all the way back to St. Paul's, until they came to the point where the new street crosses Cannon-street?—Yes.

163. Would the new street, therefore, be of any service to them?—It would be

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be of service to those wanting to get from Holborn, if upon the junction they wanted to get down to Blackfriars' Bridge.

164. They would have to go back to that?—Yes.

165. Supposing, instead of that line being adopted, the line south of Cannon-street were made as proposed, and then a new street were made with a reference more to this railway station towards the Bank, would not that be an improvement upon the present scheme?—It strikes me that it would. What points there may be supplied by that new line as it runs there past Queen-street and Bucklersbury, that I do not know.

Re-Examined by Mr. *Phinn.*

166. Do you think it very wise to bring the whole stream of traffic coming from the west close to the station where it is disgorging all its customers?—No; a railway station is a great attraction to traffic.

167. Would it not be better, in your judgment, to have a near access to this new street?—Yes. May I ask what is the distance from the railway station up to the junction, to Bow-lane?

168. I am told that it is 250 yards?—I think that going back there would not signify much.

169. One going back, and another bringing the street right upon the stream of traffic to and from the railway station, which would be the least disadvantage?—I think it better to avoid the railway station if the alternative was to go only 250 yards.

170. You know the street, I daresay, well enough there; do you not think it preferable that the Corporation of the City of London should widen Walbrook, instead of bringing the railway station so near there, or simply widen Walbrook?—I cannot speak with accuracy to that.

171. Mr. *Ayrton.*] Do you not think it a very serious inconvenience that the distance back from the station to the intersection of the new street and Cannon-street is greater than from the station to the Bank, if a person wishes to get to the Bank?—No doubt it is, in that respect; but the comparison I was making was between passing a station where there is necessarily a great traffic, an assemblage of traffic arriving and departing, or having to go and return 250 yards.

172. If Walbrook were enlarged you would not pass the passenger station, but instead of being 250 yards it would be merely 10 or 15 yards?—That would obviate it. As you approach a railway station it is always more difficult to pass.

173. Would not the inconvenience be much greater when the Walbrook pavement is so narrow that it is inconvenient even for a foot passenger to pass along from there to the Bank?—That inconvenience is very great; but might not that be widened?

174. Considering that these improvements will cost hundreds of thousands of pounds, in your opinion is it not desirable that one improvement should effect the whole object?—Of course.

175. Do you think that any inconvenience is likely to arise from taking away the corner which you see is to be destroyed in the Poultry, having regard to the number of omnibuses and carriages congregated at that corner?—Supposing that the same number of people get to that point by the existing roads, Cheapside and the Poultry, I think on the whole the convenience would greatly preponderate, having a wide street to reach that point.

176. Are you aware that already a great many passengers go down to the river at Hungerford Bridge to go to the City, even although they have to come up again from London Bridge to get to the City?—Yes, I am.

177. If the present railway station were to bring them so much nearer Cannon-street, do you not think that that number would be very greatly increased?—I should think certainly it must; I believe that a great many people go by boats, which are going every two or three minutes, who would not go to a station to wait.

178. Every five minutes there is a boat, is there not?—There are several companies

companies; there are express and other boats. When I have gone, I have always found that I could go in a minute or two.

179. And the railway trains may go as often as that?—That I do not know.

180. Considering the number of foot passengers likely to be brought to Cannon-street, do you not think that almost the first consideration to their convenience is in getting them to the City rather than by cabs and omnibuses?—That is to say, to widen Walbrook.

181. To enable them to walk conveniently from the railway station to the Bank?—Undoubtedly.

182. You have not considered the relative merits of the two modes of getting by the road?—No.

183. And you do not intend to express any opinion upon the further point, as to which would be the more convenient?—Between the making of the line through Walbrook, or as it is now. The only opinion I ought to give I think is, that it is an objection to bring general traffic near a railway station.

184. What should you consider the distance?—It depends a good deal upon the width of the street; but take the Great Western for instance. When you get to London-street there is a constant traffic both ways; so at London Bridge; so at the South Western; there is always a considerable amount of traffic, especially at times of arrival and departure.

185. Would not the complexity of that traffic be much greater if the whole of it is brought into Cannon-street and back to the Bank, instead of two modes, one by Cannon-street and the other by Walbrook?—I suppose Walbrook would remain as at present.

186. I am assuming that Walbrook is enlarged; then would there not be two modes of access, one by Cannon-street and the other by Walbrook; whereas now the whole would be forced into Cannon-street?—Cannon-street is not now a line up to the Bank. I was only speaking of the point between Bow-lane and the Bank. How it is proposed to carry a street to the west of that I have not heard, avoiding Cannon-street.

187. You say that it is very undesirable to have the whole traffic concentrated near a railway?—It strikes me so.

188. By the line as laid out, the whole of the traffic would be thrown into Cannon-street, in order to get round the new street to the Bank, supposing Walbrook not to be passable at present?—Yes, certainly, this east end of Cannon-street.

189. If, instead of the new street being made, Walbrook were made into a great thoroughfare, then would there not be two modes of access to the railway station, and would not Cannon-street be relieved to that extent by reason of that additional access?—Yes.

190. Therefore, the difficulty you have would be rather removed than increased, by making Walbrook a good thoroughfare, instead of leaving it as it is?—Persons going up to the Bank, you still bring them nearer to the station.

191. Is it not proposed to widen that part of the street in front of the Mansion House. There is a knot of buildings between St. Mildred's Church and the Bank?—I do not see that. Is that near that black building on the Plan?

192. Yes?—It is not proposed to widen that; that is no doubt a very confined and very inconvenient spot now.

193. Perhaps your own experience would tell you that it is one of the most inconvenient and dangerous crossings?—Yes.

194. What would be the effect of the new street discharging its traffic between those two streets?—If it increases the traffic there? Many persons now go by Cheapside and the Poultry. Every person it brings is an aggravation; but if any of us wanted to go direct to the Bank, it would be an obvious convenience to get up the wide street, rather than going through the confined and necessarily, to some degree, obstructed streets of Ludgate-hill, St. Paul's, and the Poultry.

195. Provided that the additional traffic did not create an obstruction?—Yes.

196. Lord *John Manners*.] Are you able to tell the Committee what effect will be produced upon the traffic over Blackfriars' Bridge by the mode in which the new street is proposed to come into contact with it?—Is that by the yellow line leading towards the white.

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197. Yes; the white line leading up to the yellow?—It is pretty much the same question as was raised at Westminster Bridge, regarding the embankment there, cutting at right angles, or nearly so, with Bridge-street.

198. Except that, in this case, it is not right angles?—It would not be quite so; but, with a little arrangement, I do not see that that would be any serious objection. It would then relieve the traffic going on to Ludgate-hill. If you got it upon that part, and turned up by what is marked Earl-street, that would, to a certain degree, relieve the further point. So far, there is a counter-balancing of advantages.

199. *Chairman.*] Can you say, as a general rule, whether, in very crowded thoroughfares, you think it better that one stream of traffic should cross another at right angles, or diagonally? In this case it would be diagonally, extending towards Ludgate-hill. It crosses at right angles?—Diagonal possesses some advantages; you can weave them into each other more conveniently than when they come at right angles. If they come at right angles you necessarily stop one line and the other continues; and it is done at many places: but if they come in diagonally they can form side by side, if there is room. The traffic leading from Cockspur-street into what is there called Charing-Cross, or Whitehall, is more conveniently brought by Cockspur-street than it is from the Strand, because it comes on to Trafalgar-square. In the one case it comes in at right angles, and in the other somewhat slanting, so as to form into the line.

200. Sir *J. B. East.*] They can see that?—Decidedly; that is a decided advantage.

[The Witness was directed to withdraw.

George Willoughby Hemans, Esq., called in; and Examined by Mr. *Phinn*, as follows:

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201. YOU are a Member of the Council of Civil Engineers, I think?—Yes, I am.

202. And engineer to various railway companies and public companies?—Yes.

203. In the year 1859, I believe that you, in conjunction with Mr. Bazalgette, submitted a plan for a Thames Embankment, and a street in the neighbourhood of the Mansion House very much like this street?—We did.

204. To what body?—It was brought before a Committee of the House of Commons, which sat for the purpose of inquiring into the Thames Embankment.

205. That plan differs a little from this, I think?—Not very materially; I think the plan of the street was very nearly the same as this.

206. Now, are you aware of the plan of Mr. Bazalgette, of last year?—I may say that I have followed all the plans which have been made for the street, both by the Royal Commission, and afterwards the plan that was deposited last year, and now this plan.

207. Now, looking at the plans generally, to which would you give the preference?—This plan appears to me the most perfect which has been produced yet; and to have removed several of the difficulties that arose in the previous one.

208. Now, you have heard Mr. Bazalgette's evidence?—Yes.

209. Do you concur, generally, with Mr. Bazalgette, in the evidence which he has given?—I do.

210. Both as to the levels, as to the bend by Blackfriars' Bridge, and as to the ultimate necessity of curtailing in one spot the width of the street?—I think that the levels are all now as perfect as they can well be made. The turn at Blackfriars' Bridge is as good as can be made, and is as little injurious to property as it can be; and the cross streets, which are the only difficulty, are better accommodated by this Plan than by any previous ones.

211. Now, do you approve of his plans for a subway?—There is no doubt about the benefits of a subway.

212. Do you think that anybody who has the control of the subway under the embankment should also have the control of the subway under the streets?—I think that it would lead to inconvenience to divide it.

213. With

213. With reference to the estimate for works, do you concur with him?—I have examined the estimate, and I think it quite sufficient for the work.

214. I am now going to ask you a question which was raised in the cross-examination of the last witness: do you perceive that at present we cross Cannon-street at a point about 250 yards from the station?—Yes, about that.

215. I believe that the station is not absolutely laid out yet, is it?—There is a plan of it which I brought here; I got it from Mr. Hawkshaw's office, showing the exact position; but the details of the building and the rails are not laid out.

216. But does it show the exit, the ingress and egress, and so on?—It shows the exact lines to be taken for the purposes of the station, and from that I can imagine pretty well what the egress and ingress will be.

217. Now, first of all, what frontage will the station have to Cannon-street?—It appears to have a frontage of about 160 feet to Cannon-street.

218. Will you be good enough to point that out?—Yes. (*The Witness pointed out the same.*)

219. *Chairman.*] The corner of the station is opposite Walbrook?—Exactly opposite Walbrook, and about 240 or 250 yards from the crossing of Cannon-street.

220. Mr. *Ayrton.*] Do you know whether the station extends within the limits of deviation?—I have not seen the detailed plan of the station, but I imagine that all of that will be taken for the purposes of the station; I think it will be all required for the purposes of the station; my idea is that there will be a kind of crescent here, and that cabs will enter at one side and come out at another, so as not actually to stop in Cannon-street.

221. *Chairman.*] The crescent will be on the Cannon-street side of the station?—From my idea of engineering, I think that that would be the way; I think it would be made somewhat like that at the Exhibition, and that cabs would go in at one end and come out at the other.

222. Mr. *Phinn.*] When I asked you whether the position of the station was finally settled, is there not some Bill in Parliament which would affect the ultimate laying out of that station?—I do not think so; I am not aware of it; there is a Bill affecting the Ludgate-hill station; there may, but I am not aware of it.

223. Are those the plans deposited for the Bill?—This is the Parliamentary plan; I have no doubt the ground marked there will be required for station purposes.

224. All of it?—All of it; it is only 160 feet in frontage.

225. You say that it is about 250 yards from the point of intersection at the end of the station to the point of intersection in Cannon-street, by our new street?—Yes.

226. It is suggested, as I understand, that our street ought to have been brought nearer to the railway station than it is at present?—Yes.

227. Now, do you concur in that?—I think that it would be a very serious difficulty to do that. There are a great many reasons why it would be very objectionable to alter the street to bring it to the position of the station.

228. Is it desirable to bring a traffic such as would pass along our new street close to another, when another and a new traffic issues into the new street?—I think not. Looking at it as a main thoroughfare, I think it would be very injudicious to divert it; in the first place, going down hill in Cannon-street, and then going up-hill, instead of one continuous gradient of 1 in 70, and at the corner it would meet the obstruction of traffic going out or into the station, which would be very objectionable.

229. Your experience is, that as traffic comes out of a railway station, it comes in a very unarranged manner; is not that so?—It comes in a very thick, hurried stream, and one which it is very difficult to cross in any way.

230. Now, if the line were brought nearer to the railway station, it would come at right angles to your regular traffic?—The issue of traffic would be exactly where the main street would be intersected by a right angle, and that would complicate the matter and make it worse.

231. It is said that a person getting out of the railway station wants to get to the Bank, he would have to go 250 yards out of his way to get into the line of street?—I do not see why he should not use Walbrook as far as that goes. It is narrow, but it is 22 or 23 feet wide.

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232. But even if that could not be used, would you put the disadvantage of the circuit of 250 yards against the disadvantage of bringing the two streams of traffic into collision?—No; and I consider besides, that the immense number of passengers coming into the Dowgate station, they may be going towards the west, or coming from the Greenwich Railway, or South Eastern Railway, or Brighton Railway.

233. It is rather a supposition that everybody going to the City wants to go to the Bank?—It does not at all follow that everybody should be going to the Bank. A great many people may be going along Cannon-street, to St. Paul's and the Strand, and a great many may be going towards Blackfriars' Bridge and that direction.

234. How far will a man issuing from the proposed railway station in Dowgate be from the proposed street?—From 250 to 300 yards.

235. So that if he is going to any point on King William-street and that neighbourhood, his way would be to go to the eastward instead of going round?—Yes; he can get either left or right by King William-street, or by the new street.

236. Now do you adhere to the proposed line of street?—I cannot see that any engineer laying out that street for the object in view, could have taken this new station into account. I certainly should not have taken it into account.

237. Would it derange the levels?—Entirely.

238. To what extent would the levels be deranged on the diverted street?—There is now a continuous gradient, with a straight street from end to end. If you turn, you will have two unnecessary angles, going down 15 feet, and having to rise more again to get up to the Mansion House end.

239. What alteration would that make?—One in 50 instead of 1 in 70; it would be an unnecessary injury.

240. You do not think it desirable to repeat a bad gradient if it can be prevented?—No; I think the street would be ruined as a main thoroughfare, by turning to the right and then turning to the left again at the Walbrook end; I think that that would ruin it.

Cross-Examined by Mr. *T. Chambers.*

241. Your evidence is upon the assumption that Walbrook is the only alternative?—I think that any divergence would be objectionable; any one would go up by Walbrook. It would be exceedingly objectionable.

242. You think that no scheme can be devised so good as the present one?—I think that any diversion of that street from the corner at the Mansion House would injure it.

243. Are you of opinion that this street should have been laid out without the slightest reference to that station?—Yes; I do not see how that affects it at all.

244. I am now going to speak of those persons that go to the Bank. I suppose a great number would want to go to the Royal Exchange or Poultry?—Yes.

245. Supposing a passenger put out there, how would he get there?—He can go as far as Queen-street and turn up there, or he can go to the intersection, or go up King William-street or Walbrook.

246. Assuming that Walbrook is a perfect block during the whole of the day, and that that is inadmissible therefore, would not either of the other ways be taking him five times the distance the station is from the Bank?—No; it would be about three times; I do not think it is more; two and a half to three.

247. Now with regard to the disadvantageous effect upon the levels, let me see what the extent of that objection is; in the first place it would leave all the levels between the junction with Cannon-street and Blackfriars' Bridge entirely unaffected?—Yes.

248. Would the effect upon the levels hereafter be to the extent you have mentioned?—If you go to Walbrook you fall 15 feet; if you take any intermediate point, you would only fall a portion of that.

249. Where is the lowest point in Cannon-street?—I am afraid I cannot tell you.

250. Now,

250. Now, I believe that the railway station is to be where the Unity Bank Buildings are?—Its western boundary will be Dowgate-hill, immediately opposite to Walbrook.

251. Do you know what is proposed, with reference to the trains from the West End to Cannon-street?—No.

252. Will there be five-minute trains?—I should think there would be.

253. Do you know what the distance will be by the railway from Charing Cross to Cannon-street?—I cannot say exactly.

254. Over two miles, will it not?—Two miles, or thereabouts, I suppose.

255. A vast number of persons who come from the West End will come to the railway?—I think that this will rather diminish the quantity of traffic that the line was expected to carry. I doubt whether that railway would have been projected if this main thoroughfare had been certain before.

256. The railway is simply a communication with the South-Eastern, is it not?—With all the southern lines, with the Brighton, the South-Eastern, and the Greenwich.

257. So that passengers from any distance from the country might come up to this station?—Yes; it is probable.

258. Would it not be desirable, the traffic being put out there, to have a broad communication; I do not say exactly opposite the station?—There is no question that a direct communication would be a good thing, but it would be a very bad thing to spoil another good communication for that purpose.

259. But looking at it, not as the spoiling of a plan, but as a question for the accommodation of the traffic, should you not think it very important that the traffic put out at the railway station ought to be disposed of in the most convenient manner?—There is no question about that as an abstract question; there can be no doubt at all about that.

Cross-Examined by Mr. *Calvert*.

260. Have you examined the Plan, so far as relates to the subway?—Yes.

261. Where does that subway begin?—I understand it to continue the whole length of the Plan; I understand it is to continue from the road of the Embankment.

262. Beginning near Westminster?—Yes.

263. What happens to it in front of the premises of the City Gas Light and Coke Company?—At that point, where it crosses over arches, no doubt it will be intercepted; but there will be no difficulty in carrying it out there.

264. That is a point which we see pretty nearly on this map?—Yes.

265. Do you know where the jurisdiction of the City Commissioners of Sewers begins?—No, I do not.

266. Is it at that point? (*pointing to the Plan.*)—I do not know.

267. What is to be the use of the subway; do you know?—It is a most valuable thing in my opinion. In the first place it extends over the top of the sewer through the street, so that access can be had to the sewer without taking up the street. It will contain the gas-pipes and water-pipes, and the side-drains from the houses into the main drain. They would go to or from it by passages which lead out of this subway into the houses, so that for all the purposes for which the streets are now disturbed, it will be no longer necessary to disturb them.

268. In what direction do the gas-pipes come, in order to get into the subway?—There is no difficulty in arranging wherever gas-pipes run along a street; there is no difficulty in putting them into a subway, if there is one.

269. Must they not come in the first place under certain streets?—Yes.

270. Adjoining?—They must leave the level of the adjoining street, and be brought into the subway.

271. While under those adjoining streets, are they not under the jurisdiction of the Commissioners of Sewers?—I cannot say that.

272. I was going to ask the same thing with regard to water-pipes and telegraph wires?—I do not know the jurisdiction of the Commissioners of Sewers; I can give you no information upon that subject.

Re-Examined by Mr. *Phinn*.

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273. Are you quite right about the subway being cut off at the point of the viaduct?—I think there will be a difficulty in bringing it there; but it may be overcome.

274. Mr. *Ayrton*.] You have not seen Mr. Hawkshaw, and you do not know what is the design for the railway station?—No.

275. When you stated that the railway station would extend to Dowgate-hill, you did not mean to say that the railway station would extend; but that the limits of deviation extended?—Yes, and in my opinion, it will be necessary for that sort of station to take it all.

276. Did I understand you to say, that you thought it would be more inconvenient to have two lines of approach to the railway station than one; namely, to have the two lines by Walbrook and by Cannon-street, than to have only Cannon-street?—No, I did not say that; I think that the approach by Walbrook would be very desirable, if it could be done.

277. Would the widening of Walbrook be a most convenient thing for the public?—Certainly it would.

278. Do you think it is likely or probable that if people have to get in a hurry to the Bank, and they cannot get through Walbrook at present, that they would be compelled to take a cab when they would be likely to walk?—Having laid out several stations in Dublin, I have laid them out with a crescent; but I cannot see why people going to the Bank, and wanting a cab, should not walk through Walbrook.

279. Supposing that it is very much obstructed and requires improvement to enable any large concourse of people to go backward and forward, is not the widening of Walbrook of great importance?—It is a very important matter.

280. And so important that if it is not done now and the railway station is at once open, it will be a matter of necessity to do it hereafter?—I believe that if the street is left alone, the widening of Walbrook is sure to follow at a future time.

281. You think that it will be demanded by the inhabitants?—I think it likely.

282. Have you had your attention directed at all to the railway station in Fenchurch-street?—Yes.

283. Which is somewhat analogous to the station in Cannon-street?—The levels of this.

284. As regards the nature of the traffic, would there not be considerable analogy between the traffic at Fenchurch-street and the traffic at Cannon-street?—Yes.

285. Are you aware of the approaches?—I am.

286. Do you know that any inconvenience is felt now as regards those approaches in Fenchurch-street?—They are very narrow.

287. Are there any complaints of inconvenience about those approaches?—I do not know that there are; they are narrow. It would be better if they were larger.

288. I am speaking as a practical question. Do you know that there is any difficulty about that station and its approaches?—Yes; I do know that the approaches are too narrow.

289. In what way?—They are too narrow.

290. I am asking you, as a matter of fact, whether you know that they are too narrow; whether you have seen obstructions, or received accurate information that they are too narrow?—I cannot claim ever having been in a block myself at that approach, but I can conceive that a very large traffic would block it.

291. I am taking things as they are. Have you any authentic information of the approaches being blocked?—Nothing more than I have stated.

292. Mr. *W. Cubitt*.] The difference of distance between the station in Fenchurch-street and the Bank, and this proposed station at Cannon-street and the Bank, would that, in your opinion, make much difference as regards the traffic?—No doubt it would.

293. And the distance being so short, should you think that carriages or cabs, or anything of that sort, would often be necessary for people going from this station to the Exchange, or places immediately adjacent?—I do not; I think that

that it is only about 200 yards, and that a very large proportion of the people would walk; but in the course of the improvements of London, if that station is made there will eventually be a widening of Walbrook, no doubt.

294. You think that the widening of Walbrook is not of immediate necessity?—No.

295. Mr. *Ayrton*.] What do you mean by "immediate"?—I think it would depend upon the success of that railway. If it is a great flood of traffic it will probably cause pressure to be brought on the widening of Walbrook.

[The Witness was directed to withdraw.

John Fowler, Esq., called in; and Examined by Mr. *Phinn*, as follows:

296. I MUST ask you as to your identity; you are the well known engineer. Have you considered this street?—Yes.

297. As now proposed?—Yes.

298. Now, looking at it as a whole, do you think that it is the best mode of access that can be found from the embankment to the neighbourhood of the Bank?—Yes; I think it may be taken that the two termini are fixed points, that is to say, the embankment at Blackfriars' Bridge, Exchange, and Mansion House. Those may be taken as two fixed points requiring to be connected, and I do not think that the connexion can be better formed than by the proposed street. There is a little blot at New Earl-street, by its being left narrow there, as appears upon the Plan. The street is contracted at that point at present; of course it would be better if that contraction were removed, and that can be done, of course, at any time.

299. It would be a question of money *versus* the inconvenience found at that point?—Yes.

300. You have known the other proposal for a street, have you not?—Several; I do not know that I am acquainted with all. A great many have been proposed.

301. Comparing this with the others you are aware of in point of gradient, do you think this is as good or better than the others?—The details of this have been well considered and worked out by Mr. Bazalgette. There is one point in the street, in the first place, strikes one as being a bend, which might be improved, and that is the turn from New-street into Earl-street; but I think, on the whole, that it is done in the best way it can be.

302. Taking what is feasible, you think that this is a good line?—I think, on the whole, that it has been well considered and well worked out in detail.

303. Do you approve of the proposal of a subway?—Thoroughly; I am sure that that would be attended with very great public convenience.

304. You are aware of the position of the Dowgate station; you see where that pencil is on the map?—Yes.

305. Now, it has been suggested with reference to that Dowgate station that our street might have been carried to a point nearer that station, and that it would have accommodated the new traffic from that station better. Do you think that that would have been desirable?—No; I think that that would have been a very great mistake.

306. Will you explain your reasons for that?—The traffic that will be brought to Cannon-street along the new street will be very considerable; the traffic that will be brought to the new station will be very considerable. The great object should have been, not to bring those two traffics at one point. It is better to continue the traffic in this direction (*pointing to the Plan*), and the other this way to the Bank itself. Supposing you stopped this street from Cannon-street to the Bank, the effect would be that the greater traffic that would be brought here would be thrown into all these already narrow, overcrowded streets, and increase the evil very greatly. Therefore, I consider it necessary that the relief should be continued up to this point, and to attempt to bring them together, I think would be a very great mistake. I think that further relief will be necessary by the widening of Walbrook, or some similar work, to give access to the Bank. It would relieve it at one point, but aggravate it at the other.

307. Bringing it nearer the railway station?—I have already stated that I think that a great mistake, because it would be concentrating the traffic too much at one point.

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308. Are you aware that we should be 1 in 50 instead of 1 in 70; should you think that an objection?—Yes.

309. It had better be avoided, at any rate?—Yes, I think that the levels will admit of such a thing being done without much difficulty, but, at the same time, I think it most undesirable to do it.

Cross-Examined by Mr. *T. Chambers.*

310. Are you aware of the width of this proposed new street?—Seventy feet.

311. That is a very wide street?—No, it is a very good street, but it is not a very wide street; it is a very good convenient width, but not a very wide street.

312. You would also make a new street up to the Mansion House?—I think that that would be formed for the public convenience at a future time.

313. Supposing Parliament to sanction the new street southward of Cannon-street up to the junction with Cannon-street, and then to take time to consider what would be the best mode of continuing it, seeing what the effect of the new station would be?—Then I should advise them to take time to consider the whole question; besides, I am sure it would be a very great mistake to overcrowd Cannon-street at a point where there is no relief by the construction of a new street, and then leave it without relief from Cannon-street to the Bank.

314. You assume that the new street in that direction (*pointing to the Plan*) is to be open and used before any provision is made for relieving it on the other side; I ask you whether it is worth consideration to postpone the part of this new street north of Cannon-street in order to ascertain what may be the effect of the new railway traffic?—I do not think that worth a moment's consideration. The part from Cannon-street to the Bank is an obvious necessity; the other perhaps might be postponed.

315. Who goes from Cannon-street to the Bank in that direction (*pointing to the Plan*)?—A great many; I do myself.

316. May I ask where you start from?—Assuming that I get to the St. Paul's end of Cannon-street, say, from this part of London, and I desire to go to the Bank, I go along Cannon-street. It will be a great comfort to have this new wide street.

317. Would it not be as great a comfort to you to have a good wide street a little further on?—It would not be so good or so convenient; it would be more at right angles, and a longer course.

318. It need not be more to right angles than this?—If more to the east, it would be so.

319. Is it necessary to come in at the exact point where it comes in?—I think it a well-selected point; I have looked at it very carefully, and it does not occur to me that it can be improved.

320. Do you not think that, inasmuch as there are seven streets that now come in at that point, there may be a serious disadvantage in bringing a wide street to the traffic upon it up to that point?—Are you now speaking of the terminus at Cannon-street.?

321. No, the Mansion House?—I think there must be another new street besides this one, or the widening of other streets.

322. Do you not think that the object might be secured by a new street, which should be more eastward?—When you say more eastward, you mean nearer to Walbrook.

323. Yes?—No, I think not.

324. Might it not be more convenient to bring a new street in on the east side of the Mansion House, so as to avoid throwing the great stream of traffic upon that point which is already so much crowded?—In addition to, but not in lieu of the proposed new street, I think it would be a good proposal.

325. Do I understand you to say that you have not considered the plan of this new street, with reference to its effect upon the pressure of traffic opposite the Mansion House, or that you had considered it, and come to the conclusion that it would not be disadvantageous?—The Bank, Exchange, and Mansion House may be said to be to a great many persons their destination. This street continues relief up to that point of destination, therefore, it continues relief to the proper point and the proper extent. No doubt further improvements might be made, as appears by this Plan.

326. You

326. You are aware of something about the cost of land in the neighbourhood we are speaking of, are you not?—Yes.

327. When the new line is opened from Charing Cross to Cannon-street, will a vast number of persons who want to go to the west, not go from Cannon-street?—Yes.

328. Will not that have some effect upon this?—Yes, but we should not be able to prevent the over-crowding of streets in London.

329. Not the over-crowding of the new street if you relieve all the existing streets?—The railway would be a relief to it no doubt.

330. Do you not think that, considering that the other modes of getting to the City will remain, and that there will be this new one, and the railway also, that this new one might be made to accommodate the traffic of the railway?—Certainly not; I think that would be a very great mistake.

Cross-Examined by Mr. *Clerk*.

331. This is the first time, I think, that Parliament have been asked to sanction a subway?—I do not know.

332. Do you know of any case?—I do not know; I was not aware, and I am not now quite sure, that it is absolutely necessary to have the assent of Parliament to a subway.

333. The subway of the present scheme is entirely unconnected with any other subway, is it not?—Yes, I am not aware that there is any subway that would be intersected by this subway.

334. You were the engineer of the scheme of embankment, I believe, carried last year, were you not?—No.

335. You were one of the engineers for it, were you not?—No; Mr. M'Clean, I think, was the engineer.

336. You are aware that there could be no communication between this subway and any subway, if any such were made under the embankment of last year?—No, but that would not be a necessity; the subway is convenient to the extent that it is carried. It may be considered to be a convenient mode of keeping the different pipes and sewers, so as to be able to get access to them without disturbing the surface of the streets, and for that purpose it is not absolutely necessary, so far as pipes are concerned, that it should be carried to any particular extent.

337. The object being to carry the gas-pipes and water-pipes along the subway?—That being one of the objects; another object of a subway may be that from it you may get access to the sewers, but without the necessity of disturbing the street.

338. And would the lateral drains (house drains also) be brought that way?—It might be so.

339. Do you know at all what the jurisdiction of the Commissioners of Sewers of the City is?—No, I do not,

340. You are not aware how far the gas-pipes, or the right to regulate the opening of streets, is under their jurisdiction?—No, but that which would be a convenience to any party, would be a convenience to the Corporation of London; if it is a good thing, it would be a good thing to everybody.

341. Supposing the City, or the Commissioners of Sewers of the City, to have the control of the streets, and of the pipes, gas and water, apart from the subway, so soon as you came to a subway, according to this Bill, there is a fresh jurisdiction introduced?—Yes, but that is a matter which the Legislature might overcome.

Cross-Examined by Sir *W. Alexander*.

342. How do you propose to get at the subways?—At convenient points from the surface of the street.

343. From the side?—Yes.

344. From down the areas of private houses?—No, from the causeway.

345. Mr. *Crawford*.] Am I right in saying that it is your opinion that the present scheme, if carried out as proposed, will not be in itself a complete scheme with reference to relieving the City from the overcrowding of the streets?—I

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think it will be a complete scheme, that is to say, as far as it goes, it is a perfect scheme, but I do not think that it will prevent the necessity of future relief.

346. Especially with reference to the proposed new Dowgate station?—I think it will be found, if that station is used by the public to the extent I believe it will be, that some relief will be found desirable from the station up to the Bank.

347. And, therefore, the expense at present contemplated will not be the whole expense which must be incurred before relief can be given to the public?—I am quite sure that this will not be a final measure; I am afraid of what may be called comprehensive schemes, because they are never carried out.

348. Mr. *E. Egerton.*] You like instalments?—I do; comprehensive schemes generally fail from their extent.

349. Mr. *W. Cubitt.*] This new street is intended to carry all the traffic which is expected to pass along the Embankment of the Thames from Westminster to the Bank?—By far the greater part of the traffic no doubt; some might still go in the direction of the old streets.

350. And, so far as that embankment would relieve the traffic which now goes along the Strand and so forth, probably you would say that to that degree it would relieve the traffic in Cheapside and the Poultry?—Yes; some traffic will still pass Southwark Bridge and get to the Bank in that direction.

351. Into Cheapside?—No; to the Bank.

352. Would it not be nearer to go along the new street to the Bank than to go up Queen-street to Cheapside?—Nearer, certainly.

353. And if you were going from Westminster to the Bank, you could go along that new street?—Yes; unless it became very much crowded; the proposed street in connexion with the embankment will undoubtedly be the best communication from Westminster to the Bank.

354. Did I understand you to say that this new line of street will tend to augment the blocking?—I think not; I think that the general blocking that arises now will be very much changed there, and that people will get freely there.

355. But you think it might be desirable to cut off the corner of Princes-street and to set back that row of houses?—Certainly it would be a very desirable work. Whether the cost of it would be greater than the value of it I am not prepared to say, but unquestionably it would be very desirable.

356. *Chairman.*] Assuming that the persons who now come from the west to the open space between the Bank and the Mansion House will still reach the same destination by either the new street or the old street: supposing that the same number of persons go there, do you think that by this proposal the inconvenience at the eastern end of the Poultry will be greater than it is at present; or in other words, do you think that the mere addition of other means of arriving at the same destination will increase the inconvenience that now exists?—No, I think it will diminish it. A good deal of obstruction arises from persons getting into Cheapside from those narrow cross streets. By means of the new street, people will get freely to their destination, and a greater number of persons will be discharged in the same time.

357. And as the space between the south-eastern corner of the Poultry and the Mansion House is very wide and would expose foot-passengers to some peril in crossing it as it is, would not that peril be removed by the placing of a refuge in the middle of the street?—Yes, or what has been suggested by my friend Mr. Haywood, the introduction of bridges either above or below, which I should recommend very much in all cases where it is practicable, and underneath the street in all cases in preference to passing over. It might be introduced with advantage here, and that is obviously better than what is called a sanctuary in the middle of the street.

358. Will you explain your idea of a bridge in that position?—Yes. Most foot passengers desire to pass on the south side of the Poultry to the Mansion House. If it were possible to do that underneath the street, it would be better, because the headway required is less. But if it is not practicable to do so, it would be practicable to do it above. They might, by means of a foot staircase, pass across, without danger from vehicles, and that might be repeated at as many corners as necessary. I am sure that that would be a convenience.

359. Now, what height would you propose to place it above?—Sixteen feet clear.

360. Made of light iron?—Yes; it would be no obstruction to any view. We could make it of light iron or steel.

361. Do you think that if you had to design such a bridge, you could design something that would be no disfigurement whatever, but, on the contrary, an ornament?—Yes.

362. Mr. *William Cubitt.*] Would not you have difficulty in finding space for the staircase, that should be convenient for carrying people over a bridge so high as 16 feet?—You could get over the difficulty by purchasing a little space at the side of the street. It is a thing that is very much felt now, and I think that every active man must feel that he is occasionally in a little peril in crossing some of the streets of London.

363. *Chairman.*] The northern side of the Poultry would remain as it is?—Yes.

364. Lord *John Manners.*] Do you know how the railway station is proposed to be laid out with respect to Upper Thames-street?—No, I do not.

[The Witness was directed to withdraw.

Joseph William Bazalgette, Esq., called in; and further Examined by Mr. *Phinn*, as follows:

365. JUST east of Temple Gardens, I think, you carry the proposed line, the way it has been hitherto carried on the embankment, by a viaduct?—Yes.

366. It is suggested that that would prevent the continuance of your subway; is that so?—No; we have got out the designs forming the connexion between the embankment and the subway, and it requires a little alteration of the form of subway, and a slight depression, which enable us to carry the subway in front of the City Gas Works, and underneath the present foreshore of the river, still giving free access, and not at all interfering with the navigation, as it at present stands.

367. You flatten the top of the subway?—Yes, to some extent, and depress it.

368. Is there any difficulty in connecting that subway with the subway under the line of the new street?—No; the designs are all completed, and it will be so constructed.

369. Now, my friend suggested that there were no subways in existence in the Metropolis; you have got one, the Covent Garden approaches?—Yes.

370. You have actually constructed that?—Yes.

371. There is plenty of experience of them in Paris, I think?—Yes.

Cross-Examined by Mr. *Clerk.*

372. Was there any plan of subway brought before Parliament in connexion with the Embankment last year?—No.

373. It was no part of the scheme at all, as propounded?—The details of the plan were not laid before Parliament.

374. It was not mentioned in the inquiry, was it?—I believe not.

375. You say that designs are now ready; how recently have they been completed?—This design, some two or three months, perhaps.

376. By your Act you are to leave an open space opposite the City Gas-works to carry the viaduct there on two arches, having a span of 70 feet?—Yes.

377. How do you propose to carry your subway in connexion with the Embankment?—It is carried under the banks of the river.

378. You carry it in the foreshore of the river?—Yes.

379. But it will not be the same level as you will have afterwards?—No; it will be slightly depressed there.

380. Do you suppose that the gas-pipes will be continued alongside this sort of syphon from the subway of the Embankment along the subway under the new street?—I do.

381. And the water-pipes?—Yes; there is no difficulty about it whatever.

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382. What would the difference in the level be?—I can lay the plans before the Committee if it is thought desirable.

383. Will you let us see the plans?—I have not the plans in the Committee-room.

384. Mr. *Clay*.] In the subway, which you have already constructed, are the gas-pipes and water-pipes already laid?—In the Covent Garden approaches.

385. With connexions with the houses?—The houses are not all built, but as far as they are built, the connexions are made, I believe.

386. Have you found any serious inconvenience from the escape of gas, making it dangerous to go into the subway?—No.

387. I understand you to say, that you do not apprehend any danger from the escape of gas when all the gas-pipes are laid down?—No; we should rectify it if any escape of gas took place, and in that respect it is an immense advantage to the gas owners.

388. You are aware, that without there being any necessity for a flaw in the pipe, gas is so subtle that it escapes from the very best pipes that can be made?—We have ventilation, so that there would be no danger.

389. Mr. *E. Egerton*.] In Paris they have both water-pipes and gas-pipes laid down, have they not?—Yes.

390. And it is a very great improvement, is it not?—It is; the latest account I got was from Mr. Fowler, the last witness.

391. Mr. *Ayrton*.] There is a certain danger of its all being blown up, and you do not think that danger very great?—I do not think that, because an escape of gas is so easily detected; and we should have persons in those sewers to have general charge, whose duty it would be to see to that, and to call attention to it immediately. I can clear up one point that I believe Mr. Fowler did not know; the subway will not interfere with the construction of the pathway.

George Pownall, Esq. called in; and Examined by Mr. *Phinn*, as follows:

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392. I BELIEVE you are a surveyor and valuer, residing in Great George-street?—Yes, I am.

393. Have you had a great deal of experience in the valuation of property?—Yes, I have.

394. Not only in Westminster, but also in the City of London?—Yes, in every part.

395. You are agent and surveyor to several large estates in and about the City?—Yes, I am.

396. And I suppose that a good deal of that experience is derived from valuing for railway companies?—Yes; and in determining the amounts to be paid between the railway companies and the claimants.

397. Now do you know the district lying between Blackfriars' Bridge and the Bank?—Yes, I do.

398. Have you made a survey of it?—Yes, I have.

399. From Blackfriars' to the Bank?—From Blackfriars' Bridge to the Bank.

400. Have you done that generally, or have you gone house by house through the whole thing?—I have gone house by house through the whole length of the street.

401. Now, what is your gross estimate for the land proposed to be taken; in the first place, give us the quantity?—I do not know the superficial area of the land to be taken.

402. You cannot give us that?—No; in our estimate we take the brown and the portions coloured dark red. Our estimate of the gross cost of acquiring that is 998,610 *l.*, and the path also which is indicated by a tint of Indian ink. I think all that is necessary for the formation.

403. Sir *J. B. East*.] Do you include houses in that?—Yes, everything.

404. The light pink you do not include?—The light pink we do not include.

405. Mr. *Phinn*.] Now give us the net?—The estimated returns are 425,550 *l.*, leaving the net cost of the street 573,060 *l.*

406. That is of course exclusive of formation of the street or works?—Entirely; it is limited to the acquisition of the property.

407. Acquisition of property, compensation, and re-sale; those are your items?—Just so.

408. Now, I dare say that you agree with the other witnesses as to the necessity of some improved line of communication?—Yes, it is very urgent. The relief to the Poultry, and getting some better access to the Bank, and that great network of offices round the Exchange. I have seen no street which altogether realises that object so effectually as that which is represented by that plan.

Cross-Examined by Sir *William Alexander*.

409. Can you tell us the number of houses that you take?—We take altogether about 360 properties, but some of those properties would comprise more than one house; there would be a house, warehouse, offices, and so on.

410. There may be old proprietors who have rows of six or seven houses together?—No; I allude more particularly to such establishments as the Probate Office, the Herald's Office, and so on; they have more than one house.

411. Do you propose to take the Probate House?—Yes; in fact all that is indicated by that dark colour, pink.

412. Can you tell me the number of houses that you take?—I cannot tell you the exact number of houses; the number of distinct properties that we take is 360.

413. Have you been employed to value any property in the neighbourhood of the proposed station in Cannon-street?—Yes.

414. Do you anticipate that there will be a very large discharge of passengers from that Cannon-street station when completed?—Yes.

415. And a large space of ground has been taken?—Yes.

416. For the purpose of making a large and commodious station?—Yes.

417. Is it represented with accuracy by those pencil-marks?—No doubt those pencil-marks are sufficiently near to indicate it.

418. Be good enough to see if I have correctly marked that upon the model by a wafer?—That is about the spot.

419. That will be to the eastward of the proposed passage of this oblique street across Cannon-street?—I do not follow you.

420. To the eastward of the proposed passage of this oblique street?—Yes.

421. So that persons arriving at the Cannon-street terminus and wanting to drive to the Mansion House must drive along Cannon-street, and then turn up that oblique street to the Mansion House?—I believe that the object of this project was to relieve the pressure of passengers passing down the Poultry to the west, and not to relieve that station; I have no doubt that in addition to the improvements contemplated by that plan it would be a great advantage to have a direct communication north and south from the Bank and the Exchange to this station, and for a different class of passengers altogether.

422. You mean either by widening Walbrook or St. Swithin's-lane?—Yes.

423. Walbrook at present only admits of one carriage passing at a time, does it not?—Yes.

424. And the lower part of Walbrook is bounded by Mr. Travers's extensive premises, is it not?—I forget whether his is the corner of Walbrook or St. Swithin's-lane.

425. St. Swithin's-lane is also a narrow street, is it not?—Yes; I think there is an urgent necessity for improving that communication, but it is for a different sort of traffic altogether from that which this new street is calculated to provide.

426. There would be a good wide street for that traffic?—Yes.

427. The effect of widening St. Swithin's-lane would be to bring the traffic in at a part east of the Mansion House?—Yes.

428. Have you valued those houses which seem to form a moat in that street; New Earl-street?—No, that is proposed to be left at the original width of 60 feet.

429. What is the reason of that?—I apprehend the cost.

430. Now, are those houses of a particular costly nature?—Extremely so.

431. How many of them are there?—I really do not know exactly how many there are, but I think there must be five or six.

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432. And it is proposed that they should be left, reducing the street from 70 feet to what?—To 60.

433. Now, have you been employed by the Corporation of London in making valuations in the course of their improvements in the City?—Yes.

434. Do you know that Cannon-street was made within the estimate?—I do not know it; I have only been recently employed by the City. In Cannon-street I was employed against them.

435. Do you happen to know that the street improvements of the Corporation of London have been made within the estimate?—I do not know.

436. Did you value for the Metropolitan Board of Works, the improvement in Covent Garden?—Yes.

437. Has the estimate in that case been exceeded?—It is impossible to say.

438. No houses have been built, but one?—Several houses are in the course of erection. More than one, and a considerable portion of the frontage is being built upon.

439. How many houses?—It is a very short street.

440. Therefore, you can more easily calculate the number?—I cannot say the number.

441. You cannot tell the Committee whether the estimates for the value of the land and houses have been very much exceeded, or not?—I believe I have been concerned for the Metropolitan Board of Works in every case that they have disputed, and I believe also that although the estimate of the purchase may have been exceeded, the returns are largely in excess of the estimate. The land is let at prices which exceeded the estimate we gave for those returns; they have not been realised; that is to say, they have not been sold.

442. Have not the purchases very far exceeded the estimates?—No, they have not exceeded them, not by very much.

443. How much have they exceeded in that short Covent Garden street?—I cannot tell you. I do not know what the returns have realised.

444. I am asking the gross purchase?—That information I can only obtain from the office. I have got it in my hand, and if the Committee think it right that I should furnish it, I will do so. I hope my answers have been distinct and clear; namely, that if the returns are realised to the same extent as the land already let, that that street will be bought within the estimate.

445. But I am asking the gross purchase?—I cannot tell you that.

446. Supposing there are no returns at all; have not the purchase estimates been very much exceeded in that very case?—I believe so, but that is partly accounted for by the additional property which they thought it desirabl to purchase, and the result of the estimate will be, I believe, within the limits.

447. I did not ask you that?—But it is very important that I should add that to the answer that I have already given.

448. You know what has been paid for them; nobody knows what the returns will be?—I think the returns to a certain extent have been determined. They have let the land at very nearly double the estimate originally put upon it, and they have let the great bulk of the land.

449. That is founded upon estimate?—No, it is not, it is founded upon fact; the land is let.

450. The whole of it?—Nearly the whole of it; I can give you the number of plots.

451. Have you valued for the Metropolitan Board of Works in the construction of the new street in Southwark?—Their officer, Mr. Merivale, made the valuation, and I checked it, with Mr. Hunt, and therefore I am responsible for it.

452. Have not the purchases in respect to the new street very much exceeded the estimate?—I think not; I cannot state accurately unless I had before me the valuation of the estimate I made in going over the street, and the cost of each particular house so purchased. In some instances I dare say they have cost more, and in other cases they have cost less, but the returns in the part of the street let, have realised prices far beyond those which were put upon them. I have no doubt that that street will be bought within the estimate. The accuracy of the estimate depends upon the ultimate cost.

453. I ask you whether the estimates for the purchase of that new street at Southwark, have not been very much exceeded?—I cannot say: in some instances, perhaps, they have been very much exceeded, and in some instances they

they have fallen short. Those purchases are dependent upon the caprice of juries, and so on.

454. Mr. *E. Egerton.*] You said just now that the estimate was exceeded because more property was bought than was originally contemplated?—Yes, and I dare say it was so in the Borough as well.

455. *Chairman.*] And if more is paid for a first purchase than you expected, you also get more in re-selling that?—Certainly.

456. And, therefore, in the end there is no greater loss?—That is the case; and in the first street Sir William Alexander asked me about, the returns very much exceeded the estimate, and the greater part has been let; there are 32 plots of building altogether, of which a good many are let.

457. Sir *William Alexander.*] Among those let is Mr. Debenham's?—Yes.

458. The Garrick Club another?—Yes, and the Duke of Bedford has bought some to make an improvement upon his estate. He has not only given a higher rent, but a greater number of years' purchase than we put upon it.

459. You have given us the net cost, 573,000*l.*, the new street you are speaking of?—The net cost, 573,060*l.*

460. How many years' purchase do you allow?—I submit to the Committee that it is not desirable that I should mention the number of years' purchase, inasmuch as it would very much embarrass the promoters in purchasing the property.

Cross-Examined by Mr. *Clerk.*

461. In making the new street, you intersect a great number of very narrow streets, do you not?—Yes.

462. Streets so narrow as not to more than accommodate the passage of one carriage at the present moment?—Yes.

463. A good deal of that surplus land is, of course, to be devoted afterwards to building purposes?—No doubt.

464. Upon re-letting or re-selling that land, are your estimates based upon the supposition that the openings into those narrow streets will remain as narrow as they are at present, or will you set them back at all?—I do not understand your question.

465. We will take any narrow street; here is a narrow passage (*pointing to the Map*), very narrow indeed, for the traffic which may pass in that direction from St. Paul's down into the new street. In the setting out of this new street, do you keep that street at the same width that it is at present, or do you set it back at all?—Keep it the same width as at present.

466. Here you see Queen-street, already widened to a great extent by the civil authorities, coming up here, and we here come to a narrow neck of a bottle where your street passes?—Yes.

467. Would it not be a great advantage to the public to have that street at the commencement set back to such a width as would enable the City authorities to widen it hereafter to that width?—A very great advantage indeed.

468. Have you considered at all whether the having wider entrances into these streets, although they would be merely commencements of a subsequent widening, might not have the effect of increasing the value of the property adjoining?—No; it would in the streets themselves, but not in the adjoining streets.

469. If there were a communication required, if a person had a ready access from St. Paul's down to this new street?—It would not materially affect the value of that property. The value of that frontage depends upon the great thoroughfare in front of it; all widening of streets is good as regards the general traffic.

470. Would it not be a greater expense while making this new street, that you should omit to construct a wider entrance here, which might afterwards be continued, so as to have it altogether widened?—It would be desirable to have some of those narrow streets widened.

471. Surely it would be of very great public advantage, when you are pulling down property, and going to re-build those entrances to the streets of a wider class than they are at present?—No doubt, but you sacrifice an amount of frontage, and it is done at an increased expense.

472. You know what has been done in Queen-street?—Yes, it is purely a question of expense; the advantage is obvious.

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Re-Examined by Mr. *Phinn*.

473. The Probate Office belongs to the Crown, does it not?—I suppose it does.

474. You cannot take that without consent, of course?—I suppose not; I did not go into the titles.

475. Are you aware that it is meant, as soon as possible, to put the Probate Office at a new place?—I believe so.

476. Now, is it a fact that property rises in value so rapidly in London that the value of property at the time of passing the Bill is often very much altered before you come to buy it?—That is frequently the case.

477. And that rise affects your re-sale as well as your purchase?—Just so.

478. Do you recollect what you calculated you could let the front street of Covent Garden for; the frontage a foot?—No; I do not remember exactly.

479. Was that a pound a foot?—You ask me how much we put per foot upon that short distance from Covent Garden to St. Martin's-lane. I do not recollect it; my impression is, that we put a different price upon different parts, attaching greater value to some parts than to others.

480. With regard to widening these narrow streets; if my friend's clients wished to buy a bit of the land you have to dispose of, you will have no objection to let it to them?—I should be glad to add to my evidence the statement that, supposing the street should be stopped at Cannon-street, and that that most important link from Cannon-street up to the Exchange is not carried out, that then though the original cost of acquiring the property to the south or west of that street would be the same, the returns, in my opinion, would be materially diminished; that street, commencing with New Earl-street and going down to the bridge, would only be a subordinate street instead of being the great leading thoroughfare of the metropolis, and that would materially affect the returns; my estimate is founded upon the assumption that the street will be carried all through; if it is stopped at Cannon-street west, the returns upon the portion east and south of that, down to Blackfriars' Bridge, would be very much diminished.

481. *Chairman.*] The houses you now purchase are not houses in any great thoroughfare, and the land that would be held on building lease would be in a very important thoroughfare, and, therefore, would get a much greater additional value?—Yes, out of the purchases, there are seven or eight in different courts.

482. Lord *John Manners.*] Would the property be affected between Cannon-street and the Mansion House in the event of the street being made from Blackfriars' Bridge to Cannon-street?—It would not affect that at all.

483. Supposing that that portion of the street was postponed until the street to the west was made, when you came to fill up the remaining portion of the street, would any change take place in the value of that property?—I do not know that it would be very materially affected; but if it were cut into two sections, your returns would be very materially diminished; there is a great demand for property in that neighbourhood.

484. Mr. *Ayrton.*] How long would it take to carry out the work from New Bridge-street to Cannon-street; one, two, three years?—I should think that the whole street ought to be made in three years; but upon that point I speak with some diffidence.

485. With regard to what has been done by the Metropolitan improvements, you think about three years?—It ought to be done in that time.

486. Can you give the division of your estimate between Bridge-street and Cannon-street, and Cannon-street and the Bank?—Yes, I can.

487. Be good enough to give that?—The gross cost of acquiring the property from New Bridge-street to Cannon-street West, 528,990 *l.*, and the gross cost of the acquisition of the property from Cannon-street West to the Mansion House, 469,620 *l.*

488. Now, the cost as regards the re-sale?—The estimated returns, supposing the street is made at once, and the whole length upon the first section from Blackfriars' Bridge to Cannon-street West would be 208,550 *l.*; and the returns upon the second section from Cannon-street West to the Mansion House would be 217,000 *l.*

489. What do you propose to deduct from the returns?—It is extremely difficult

difficult to say what that deduction would be; but I think it would materially affect the value of the street.

490. Will you give some idea, in figures, 20 or 25 per cent.?—I should think it would diminish the value of the returns one-third, at least, and probably delay the time of realising it.

491. Have you had your attention at all directed by the Metropolitan Board of Works to Walbrook?—Not by the Metropolitan Board of Works; but I made an estimate for the Royal Commission which has been sitting upon the subject of the cost of widening Walbrook.

492. Sir *William Alexander*.] What was the width?—Sixty feet, I think. We widened it to avoid the church, St. Stephen's, Walbrook.

493. Mr. *Ayrton*.] What was the cost of that?—The net cost of widening Walbrook was 223,500 *l*.

494. Did that include taking down Mansion-house-place?—Charlotte-row, you mean?

495. Yes?—Altering, not taking the whole of it down.

496. The cost of widening Walbrook, independent of that, would be something considerably less?—It is almost impossible, making some improvements as to Charlotte-row; because, you will see by the Plan that the entrance would be extremely difficult.

497. But supposing it was on the east side, instead of on the west?—That I have not considered, because it would involve taking down the church,

498. That church is considered very pretty?—Yes.

499. Are not a good deal of the decorations made of wood and plaster?—No; it is generally considered a very fine structure.

500. Is there anything in the character of the church that anybody could not rebuild it; is there anything peculiar about it?—No; of course it could be rebuilt.

501. You would not have the least difficulty in taking it down and rebuilding it?—I should think there would be no difficulty in taking it down and rebuilding it.

502. No architectural difficulty?—No.

503. There is nothing peculiar in the structure that it could not be taken down and rebuilt anywhere?—Certainly not.

504. And at comparatively very little cost?—I do not know.

505. As compared with taking any office, purchasing any mercantile property occupying the same space, it could be purchased at little cost?—I am not prepared to answer that question.

506. You do not know what value they put upon a church in the City?—No.

507. How would you value a church?—I should be very much puzzled, indeed, to value it.

508. It has not great antiquity to recommend it; is there anything peculiar about it?—It is a very fine work of a great architect, but if a great public improvement could not be effected without taking it away, I do not know any reason why it should not be taken away.

509. Any more than any other church?—No.

510. Have you considered what the relative advantage would be of making the improvement on the east side of the street rather than the west, having in addition the open space at the back of the Mansion House?—I have not considered that question at all; it is not only the church, but there are commercial properties south of the church which must be acquired, just as valuable as those on the opposite side.

511. Have you considered the comparative cost at all?—No.

512. You said that you knew something of the new railway station about to be built?—I know the property; I have had to value property between that station and the river.

513. What has been taken for that station, or is anything settled with that Company?—I have seen the plans, but I can only give the Committee very imperfect information.

514. What is your opinion of the effect of building this station with regard to the communication between the station and the Bank; will it render necessary any thoroughfare to be made between the station and the Bank?—It will be very desirable to make a direct communication from the station to the Bank.

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515. Will it render necessary any communication being made?—I cannot say that it would be absolutely necessary, but it would be very desirable.

516. Mr. *Crawford.*] Do you take any part of the property of the College of Advocates?—We have included part.

517. Mr. *Clay.*] What description of property is there in Walbrook, close to the church, on the east side?—Mercantile offices, and some retail trades.

518. Of considerable value?—Yes.

519. Without putting any accurate value upon them, do you know sufficient of that property to say that you could widen Walbrook on the east side very much more cheaply than you could on the west?—I should doubt it very much.

520. I am presuming the church to have no value; the property is almost of as much value on the east side of Walbrook, as on the west?—Yes.

521. Mr. *Ayrton.*] Are you aware that the east side of Walbrook affords peculiar facilities for the street being widened, because there are courtyards and large houses?—Yes, but those are very valuable properties.

522. But those houses that are in the back, you would not have to touch?—Under the Lands Clauses Act they could compel you to take the whole. I think it would be very desirable to take the whole; you take not only sufficient for the street, but also sufficient to make building frontage.

523. Mr. *Crawford.*] Would they embody the Lands Clauses Act with this?—I suppose they would.

524. You valued some of it?—A portion of it only.

525. You do not know what you would have to pay if they required you to take the whole?—No; I have assumed that they cannot compel you to take the whole.

526. St. Thomas's Hospital is a precedent?—That was a very extreme case. It has since been held in a case on the other side of the water, where Mr. Reddin, the great contractor, wanted the Metropolitan Board to take the whole of his property, the Vice-Chancellor held that they were bound to do it, and the Lord Chancellor reversed that decision; he did not consider it part of the factory.

527. Mr. *Tite.*] Your estimate is based upon the supposition that the new street will be completed up to the Exchange?—Yes.

528. And if it be completed only up to Cannon-street West, the credit will be reduced one-third?—Yes.

529. Having had great experience in these matters, what do you think that the improvement would be if it stopped at Cannon-street West and then turned up Walbrook, or continued in the line suggested by that Plan?—I think that the line suggested by that Plan is by far the best. It has the great merit of directness, and the other the alternative, is wanting in that respect.

530. In an architectual point of view, I suppose there is no question upon the subject?—In an architectual point of view, and in a commercial point of view.

531. Now, you said that the credit of the western portion of the street would be diminished one-third; not the estimate?—Yes.

532. If it did not go forward?—I think it would.

533. And you also divided in detail the same?—Yes; I think there would be a greater competition for building frontage to the street if it were opened up to the Mansion House than if it stopped at Cannon-street West.

534. Now, Earl-street is very dull and dead looking at the present moment?—Yes.

535. Is that due to the same causes that you think interfere with the value of the return?—I think it is due to the fact of the street not having been continued as it was originally intended to be.

536. Anywhere?—Yes.

537. Now with regard to this widening of Walbrook, which I suppose some day or other will come, whether this improvement be carried through as suggested or not, do you know much of the property on the east side of Walbrook?—I cannot give the Committee any exact information about that; I know it of course.

538. You have not made any comparative estimate?—No.

539. You do not happen to know that on the one side it is a great deal more valuable than on the other?—I should think that some of the property on the eastern side is quite as valuable as that on the western side.

540. Now, with regard to the church, it is one of the finest works of Sir Christopher

Christopher Wren; it is a monument that ought not to be destroyed?—Certainly not. *G. Pownall, Esq.*

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541. With respect to churches in the City, have you had any experience of what has been done; do you recollect the church that stood at the corner of Bartholomew-lane?—No, I do not.

542. You do not know, therefore, that it has been re-produced?—No.

543. It was only at the cost of the entire reproduction of the whole thing?—I do not know that.

544. However, that would be a very expensive process, re-building and re-decorating?—Yes, it would be necessary.

545. Mr. *Ayrton.*] Why necessary?—If it was rebuilt, the cost of re-decorating must be incurred.

546. Mr. *Tite.*] To rebuild St. Stephen's, Walbrook, would be a costly process anywhere?—No doubt.

547. The reproduction of it, which I take to be essential, would be a very expensive process, would it not?—It would.

[The Witness was directed to withdraw.

Mr. *Henry Arthur Hunt,* called; and Examined by Mr. *Hope Scott,* as follows:

548. YOU, as we know, are a surveyor and valuer, residing in London?—Yes. *Mr. H. A. Hunt.*

549. You have also, I believe, been a member of both the Royal Commissions which have sat within the last two years upon the subject of the Thames Embankment?—Yes.

550. Have you, in that capacity, particularly addressed your attention to the question of the value of the property likely to be taken by this proposed street?—I have valued the property on behalf of the Metropolitan Board of Works to give evidence here to-day, not as a Commissioner.

551. You have heard the Evidence of Mr. Pownall?—Yes.

552. Now you differ, I believe, to some extent from the figures given by Mr. Pownall?—Yes, I do; I consider the first cost of the purchase of the property will amount to 1,133,160*l.*

553. Mr. *Tite.*] That is, from the Exchange to the Bridge?—Yes.

554. Mr. *Hope Scott.*] Differing to what extent?—I think 113,000*l.*, or something of that sort; the original cost.

555. Mr. *Tite.*] Are you more or less?—I am more, and the return I estimate at 526,875*l.*, making the total cost of the street 606,285*l.* There is about 30,000*l.* difference between Mr. Pownall and myself in the result.

556. Mr. *Hope Scott.*] How does that difference arise?—I think that Mr. Pownall has not taken all the properties which I think the Metropolitan Board of Works would require to take; I think that Mr. Pownall has estimated damage to some, and taken part of others; I have, from my experience, found that it is desirable, in the first instance at all events, to estimate what it would cost to take the whole of the properties which would be at all interfered with by the undertaking; and I have, with the College of Advocates and other properties, taken the entire property which would be in any touched, and that, of course, increases the original cost, and of course increases the return which I might reasonably anticipate for the land when I re-sell it.

557. Still leaving you about 30,000*l.* in excess?—In excess of Mr. Pownall.

558. Do you consider, knowing the subject as you do, that that is the utmost probable excess above Mr. Pownall's valuation?—I think it quite the outside cost in one respect, and a very moderate estimate in the other; I may mention that I am extremely well acquainted with the property through which this street passes, having valued a great deal of it in almost every part of it for various corporations that I have the honour to be surveyor to.

559. Now, one word with regard to the street itself; as a Commissioner, I ask you, in your opinion is this the best plan for continuing the roadway of the Embankment into the heart of the City?—It seemed to us to be the best.

560. In your opinion, would any deflection of the line to the south of the

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Mansion House give any advantageous substitute for the directness which you obtain by the course of the proposed line?—I think not.

561. It cuts the Cannon-street thoroughfare, which again communicates with the proposed new station, does it not, in such a mode as to open the traffic to and from the railway, not only Cannon-street, with the whole access west?—Yes.

562. Would the construction of a large artery like this in the immediate neighbourhood of the station be as convenient for the public as if it were kept some moderate distance from it?—Yes.

563. I hardly understand you. Do you think it desirable that any railway traffic should be delivered immediately into a main thoroughfare, as now proposed, or that, having an adequately sized street in its neighbourhood, it should be allowed to traverse without debouching, as the French word expresses it, upon the main line?—I think it would be preferable that it should not come out upon the main street.

564. Always supposing that there are accesses in the immediate neighbourhood?—Yes.

565. Supposing the case of a traveller coming a short journey by the South Eastern Railway, he probably never would think of taking a conveyance from the proposed station up to the Bank?—I should think not.

566. There are accesses adequate to the wants of foot passengers?—Yes.

567. Now, I believe that Cannon-street constitutes a thoroughfare quite independent of this from the London Bridge stations to the West End?—Yes.

568. So that omnibuses plying for the South Eastern traffic at Cannon-street might also ply to London Bridge station, and so disperse themselves westward through the town?—Yes.

Cross-Examined by Mr. *T. Chambers.*

569. And there is a considerable traffic up and down Cannon-street now, is there not?—Yes.

570. This new line of street proposes to cross that traffic almost at right angles?—Yes.

571. Do you not think that disadvantageous?—It is an incident which cannot be avoided in many of the main thoroughfares. Traffic from Regent-street crosses, or the traffic in Piccadilly crosses, Regent-street.

572. Every one of those is an example of great inconvenience?—It is; and an obstruction to some extent.

573. To be avoided, if possible?— No doubt.

574. Supposing the street, as laid out there, from Blackfriars' Bridge to Cannon-street, to be made, and instead of the proposed line, suppose the new street were to follow the line of Cannon-street for a short distance, and then to turn up towards the Mansion House, would not that avoid the difficulty of crossing at right angles?—No; because you will meet the traffic in Cannon-street, and there would be the same obstruction.

575. It would not be crossing it at right angles?—No; but the obstruction would be almost the same.

576. You think that, such an angle as it is, it is disadvantageous, but cannot be avoided?—It would be better if the street did not interfere with the existing thoroughfare; that is impossible in the Metropolis.

577. Will you look at the end of the street, where it comes out into the Poultry?—Yes.

578. You know the omnibus traffic there?—Yes.

579. What would be the effect of a stream of traffic pouring down that new street?—There will not be so much obstruction then as there is now, because there will be two means of exit, so to speak, from that space, instead of one, and a wide street instead of a narrow street like the Poultry.

580. I am speaking of the omnibus traffic that passes up the Poultry and Cheapside?—I do not understand you.

581. A stream pouring down and meeting that stream going up Cheapside; you know the omnibuses there?—Yes

582. Will it be possible to manage the traffic at all, if there comes such a stream of traffic down that new street?—Yes; I think that that could be managed very well.

583. Supposing

583. Supposing there were a stream of omnibuses, from this part of the Mansion House, crossing the Cornhill and Poultry traffic at right angles; what would be the effect of that?—The effect of that would be, that the police must enforce regulations to keep the traffic going.

584. It will come to be a question of very rigorous police arrangement?—Police arrangement certainly, as it is in various parts of the Metropolis now. Where there is an immense traffic there must be police regulations.

585. Do you say that the effect of a new street coming in where it is proposed, will not increase the difficulties there?—Yes.

586. And not diminish them?—It certainly will not increase them.

587. The traffic brought by the railway; I suppose it is desirable to afford some accommodation for that traffic?—Yes.

588. You say that there is a very good way for foot passengers; which way would you suggest they should go?—Up Walbrook.

589. Have you ever walked up Walbrook?—Yes.

590. Do you not know that it is always blocked, and that the pavements are very narrow?—Yes, they are narrow.

591. It is not very agreeable walking?—No.

592. Is that the accommodation of which you speak?—There are some other communications between Queen-street and Walbrook up which they might go.

593. You mean those existing narrow lanes?—Yes.

594. Perhaps including St. Swithin's-lane?—Yes.

595. Do you see any disadvantage in a proposal, that if Parliament should sanction the portion of the street south of Cannon-street, as proposed by the present Bill, they should suspend their decision with reference to the portion north. Do you see any disadvantage in that?—A disadvantage in this. If the street is not continued from the eastward to Cannon-street West, all the traffic coming from the West End by the Embankment along the new street, up to that point, will have to find its way to the Bank, either up Queen-street or Walbrook, or some of those narrow lanes which at present exist there.

596. Do you see any disadvantage in the portion of the scheme north of Cannon-street being suspended for one session?—The probability is that it will cost more to purchase afterwards. It will increase in value.

597. Have you formed any judgment as to the time it will take to purchase the property, and construct the Southwark part, for instance?—That entirely depends upon the energy with which the Metropolitan Board of Works carry out the undertaking.

598. Do you know that they are asking for five years to buy their property?—Yes; I should think they might do it in three.

599. Do you know how long they have been doing the street in Southwark?—No; four years, I think.

600. Did you hear, yesterday, that they got their power in 1857?—I do not recollect; I gave evidence for them in that Bill.

601. Now, is it one house and a half, or two houses, that are built there?—In Southwark?

602. Yes?—Four or five, and others in the course of erection.

603. Do you know how long the little short street from St. Martin's-lane to Covent Garden has been about?—Three or four years, I believe, it has been in hand.

604. Mr. *Ayrton.*] Surely more than that?—I do not think so; I do not recollect the exact time.

Re-Examined by Mr. *Hope Scott.*

605. I suppose in Southwark that the demand for new sites for houses is nothing to what it would be here?—No, but I may say that the prices already realised for land in that street are something very large indeed; very surprising.

606. In the Southwark new street?—Yes.

607. Your opinion is, that if Parliamentary powers were taken only to Cannon-street West, and the acquisition of further power delayed until that was open, it would increase very much the cost of continuing the street?—The property is rising in value constantly.

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608. Does it apply to the whole of the property there?—Yes, especially that part of the property.

609. With regard to the course of traffic where it crosses Cannon-street, of course, I suppose that the more streets you cut and cross, the more accommodation you give by your main thoroughfare, and the more inconvenience there must be to the traffic of the main thoroughfare?—Yes.

610. If you could induce the whole population of London to travel from Westminster to London Bridge and back again, without going into a crowded street, so much the better?—Yes.

611. We know that Cannon-street at present carries a great deal of traffic westward as well as eastward; would some portion of that use the roadway and Embankment instead of keeping by Ludgate-hill and St. Paul's?—I think that a greater portion would come that way.

612. So that the effect of tapping Cannon-street in that way would swell the stream of the traffic in the new thoroughfare?—I have no doubt of it.

613. Mr. *Titc.*] I understand you to say that you feel satisfied that the purchase of the property is amply covered by your estimate?—Yes.

614. You know the property perfectly well through which it goes?—Yes.

615. If the street is stopped, do you agree with Mr. Pownall that the credit would be diminished of that portion west?—Yes.

616. Do you agree with him as to the extent?—I think probably not so much as a third, a fourth; I should think about 25 per cent.

617. Can you divide your estimate?—Yes.

618. Will you be good enough to do it?—The cost of the portion between Cannon-street and the Mansion House.

619. That is the eastern portion?—Yes; 560,670 *l.*

620. And the western?—£. 249,550.

621. That is the eastern portion towards the Bank?—Yes; 249,550 *l.*; 311,120 *l.* would be the nett cost.

622. Now with regard to this omnibus question; they are several deep, all going along the Poultry; do you imagine that if there be a great street like this created to Blackfriars' Bridge, they will all go along the Poultry?—I should think it will be divided, part coming one way and part another. I think the Common Serjeant's question was, whether all the omnibuses come from this new street and the Poultry on to the space in front of the Exchange.

623. At present all the traffic of the omnibus kind crowds into a narrow street called the Poultry; if you bring a broad street across that traffic, you will doubtless either divert it or very much interfere with it; which of the two things will happen?—Divert.

624. Part will come along the new street?—Yes.

625. And another part along the old street?—Yes.

626. It was suggested that if you waited a year, you might have some other scheme brought in; do you imagine that if you wait any number of years, you could bring in a scheme which would so effectually relieve the traffic of London as that which is now suggested?—I think that that is the best.

627. If you suppose that it is to stop at Cannon-street West, and that then there is some other alteration suggested, taking up the widening of the Poultry, do you think that better or worse, suppose you waited for that, in your mind as an architect?—I should say that is the best scheme of any that could be devised.

628. Taking the thing direct through?—Yes.

629. Do you know anything of the arrangements of the station of that railway which is talking of coming across the river from the Charing Cross line up to Ludgate-hill?—I do not know the plan of the station; I know the position. I have had to arbitrate upon some properties there which have been taken for the purposes of the station.

630. There will be a station about the bottom of Walbrook?—Yes.

631. Thereabouts?—Yes.

632. Do you know at all what kind of traffic is coming there; do you know what is proposed by that scheme?—I should think it is to accommodate the suburban traffic, the City gentlemen who live some short distance out of London.

633. By joining the South-Eastern?—Yes.

634. On the whole, looking at this matter, am I right in drawing the conclusion

clusion that you think we had better go on with this scheme, and leave any other to take care of itself?—Quite so.

635. Mr. *Ayrton.*] Are you aware that notwithstanding Cannon-street very much shortens the distance from St. Paul's to London Bridge, no omnibus has yet been diverted into Cannon-street?—I do not know that.

636. Did you ever go by an omnibus along Cannon-street, or did the omnibus take you round by the Bank?—I never was in an omnibus, or on the top of an omnibus, above twice in the whole course of my life.

637. Perhaps you have not seen them?—I do not know whether I have or have not seen omnibuses in Cannon-street.

638. You have not directed your mind probably to the question of traffic?—No.

639. You do not feel very competent to express an opinion upon the subject, then?—No.

640. Are you aware of this fact, that the construction of every station in and near London has entirely diverted all the traffic in the neighbourhood from it, and to it, and made a great alteration in omnibus traffic especially?—Most likely.

641. Even the opening of the Metropolitan Railway has already created lines of omnibuses in consequence?—No doubt of it.

642. Do you expect that omnibus traffic will go along the Thames Embankment, in the hope of getting passengers?—I should think so.

643. Do you think that they would like to take that road in preference to a street such as the Strand?—I should think so; probably it will be the most important thoroughfare in the metropolis.

644. Sir *J. B. East.*] For goods particularly, I presume?—And for passengers; no doubt about the goods that have to go from east to west.

645. Mr. *Ayrton.*] I suppose that gentlemen of your profession never go by omnibus?—The reason I do not is, because it is too slow for me.

646. Mr. *Tite.*] If a great street like this were created, crossing all these well known sources of intercourse, is there a reasonable expectation of a man taking a journey in an omnibus?—Yes.

647. The traffic would separate itself?—Yes.

648. Mr. *Ayrton.*] If you go in a boat for a halfpenny, do you think that passengers would use an omnibus?—The boats have been running a good many years; they are very full, and the convenience is great.

649. Did you ever go by a boat for a halfpenny?—No.

650. Do you know what time it takes to go from the City to Westminster?—If the tide is against the boat, about half-an-hour.

651. What time does it take to get on board the boat and off it again? You are not much employed in locomotion, I suppose?—No, I am not.

652. *Chairman.*] This new street is proposed as a thoroughfare to unite Westminster Bridge with the Bank?—Yes.

653. Supposing that this scheme were to be passed without the northern portion of the street, between Cannon-street and the Bank, would it not then become a scheme having its northern terminus at Cannon-street instead of having it at the Bank?—No doubt.

654. And would not that materially affect the remaining portion of the thoroughfare?—I think it would make it less eligible for purposes of business, and it would not be so important a thoroughfare, and would not yield so large a rental as if it went straight through to the Mansion House.

655. At present, any one going from Westminster Hall or Bridge-street to the Bank, would find the scheme as proposed the shortest way; but supposing this inclination were to be made, and the new thoroughfare stopped at Cannon-street, then would not the most convenient way be by the old route, and not by the new?—I suppose that some would go by the old route and some by the new.

656. And the portion between Cannon-street West and the Bank would relieve Cheapside and the Poultry, but the remaining portion would have no tendency to relieve Cheapside and the Poultry?—No.

657. It has been suggested that a communication should be made from the station at Dowgate to the Bank, by an opening to the east of the Mansion House; are you aware of the nature of the property on the east of the Mansion House sufficiently to tell us whether it is likely that any economical communication

Mr. *H. A. Hunt.*

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could be made in that direction?—I am not sufficiently acquainted with it to be able to say whether it could or not.

658. But the property immediately to the east of the Mansion House is valuable property?—Yes, it is, I believe; but I am not very well acquainted with it There are Smith's Bank, and a club-house, which are important buildings.

[The Witness was directed to withdraw.

John Shaw, Esq., called in; and Examined by Mr. *Hope Scott*, as follows:

John Shaw, Esq.

659. I BELIEVE that you have valued the property required for this proposed railway with Mr. Pownall?—I have; I agree entirely with him. It was done in conjunction with him; we looked at the houses together and made the valuation.

660. You are aware that Mr. Hunt differs to some extent from Mr. Pownall?—Yes.

661. However, the result does not exceed 20,000 *l.*?—I have had no communication with Mr. Hunt.

662. You have learned that probably since your valuation has been made?—That is so.

Cross-Examined by Mr. *T. Chambers.*

663. That is a joint estimate?—Yes.

664. Mr. *Tite.*] You simply find that Mr. Hunt has taken more property?—Yes.

665. He has taken injury, and you have taken purchase?—Yes.

Jovis, 23° die Aprilis, 1863.

MEMBERS PRESENT.

Mr. Ayrton.
Mr. Bramston.
Mr. Clay.
Mr. Cowper.
Mr. Crawford.
Mr William Cubitt.
Sir James Buller East.
Mr. E. Egerton.
Mr. Holland.
Lord John Manners.
Mr. Tite.

The RIGHT HON. W. F. COWPER, IN THE CHAIR.

Mr. *Frederick William Goddard*, called in; and Examined by Mr. *Johnson*, as follows:

Mr. *F. W. Goddard.*
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666. I BELIEVE that you have employed persons to ascertain the traffic at various points along the line of street, as nearly as you can approach it?—By direction of the Board, I have.

667. By direction of the Metropolitan Board?—Yes.

668. Now, be good enough to tell me, in the first place, where you stationed persons for the purpose of ascertaining the traffic; at what points did you station them?—Two men were stationed at Chatham-place, Blackfriars, the entrance of Blackfriars' Bridge; two at the entrance of Ludgate-hill, the Farringdon-street junction, and two at the embouchure of the Poultry, near the Mansion House.

669. Now you have, I suppose, from those persons so employed, the returns of the various vehicles that passed along?—I have them before me.

670. Have you them in a tabular form, because that would be the more convenient form?—I have them in a short abstract.

671. Upon what days were these men employed?—From the 15th to the 18th of April inclusive.

672. And what hours?—From nine till six.

673. Now, tell me the result?—Passing down Ludgate-hill were 16,819 vehicles of all descriptions.

674. Now, let us get the return traffic up the hill?—Up Ludgate-hill the amount was 16,268.

675. Now, give me the same return at the various other points at which men were stationed?—At the entrance to Blackfriars' Bridge, entering the City, 12,008; leaving the City, 12,520; entering the City at the Poultry, 38,362; leaving the City by the Poultry, 14,610.

676. Now, I believe that that is the total result, in point of figures, of the traffic of vehicles of all description?—It is so.

677. Now, I want to ask you some few further matters with reference to the width of the streets; have you taken those out so as to give them to the Committee?—I measured the streets in the early morning of April 16th.

678. Now, be good enough to give me the width of Fleet-street at Farringdon-street?—Fleet-street, at the corner of Farringdon-street, will be 27 feet wide between the kerbs; I have taken it at several points during the street. Opposite

Mr. *F. W. Goddard.*

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Lynn's, the oyster shop, it is 35 ft. 9 in.; at the corner of Fetter-lane, it is 46 ft. 10 in.; opposite Lund's, the cutler's, it is 30 ft. 8 in.; and between the piers of Temple Bar it is 28 ft. 7 in. There are two spurs which reduce that width, making it 19 feet clear.

679. That will be less two feet for stones?—Yes.

680. Now, Ludgate-hill?—The entrance at Farringdon-street will be 26 ft. 6 in.; opposite St. Martin's, Ludgate, it is 24 ft. 4 in.; and near St. Paul's, is 26 ft. 3 in.

681. Now, be good enough to give us the width of Cannon-street?—The entrance by St. Paul's is 30 ft. 6 in. between the kerbs; Cheapside, at entrance, 39 ft. 2 in.; opposite Bow Church, 31 ft.; the Poultry, 24 ft. 3 in. at its entrance from Cheapside; and near the Mansion House, only 22 ft. wide.

Cross-Examined by Mr. *T. Chambers.*

682. I see that there are going up Ludgate-hill 16,268 vehicles; that is into the City?—Yes.

683. Then you have the number 38,362, passing down the Poultry to the Mansion House?—Yes.

684. I suppose the main difference between those two would be the streams of traffic brought in by Newgate-street?—The confluence of all the streets.

685. There is that mass that I have mentioned going to the City, and when they get to the Mansion House, they are in a part of the street which measures only 22 feet wide?—They pass through that portion.

686. Now, does that stream of vehicles, do you know of your own knowledge, or from your traffic takers, at certain hours of the day, produce almost a continuous block or stoppage?—There have been one or two blocks during this period of something like five minutes' duration.

687. And even where there is not an absolute block, is the stream continuous?—Quite so.

688. Assuming that any considerable proportion of that traffic will remain, and that a new stream of traffic will be brought in at the angle of this proposed street, exactly at the point where the Poultry is 22 ft. wide, in your opinion, what effect would the one stream have on the other; would it diminish the confusion, or increase it?—That is an engineering matter that I have not turned my attention to.

689. Mr. *Ayrton.*] In what respect is it an engineering matter?—In diverting the traffic.

690. Engineering consists in obstructing the street, putting stones into it?—It consists in making arrangements for the traffic, I apprehend.

691. Mr. *T. Chambers.*] Are we to understand that the number of vehicles which you have given us, is the number for the three days, or the average daily?—They are the totals of four days.

692. Have you reduced it, then, to a daily average?—There is an average which is here, but I have it not in my hands.

693. *Chairman.*] But it is four days?—It is four days; if you divide it by four, it is very easy to show it.

694. Mr. *T. Chambers.*] It is the whole four days?—Yes; it is from nine o'clock in the morning till six o'clock in the evening.

695. Now, do you know of your own knowledge, or from your experience, whether the pressure at the Poultry is not, between certain hours in the morning, and certain hours in the afternoon especially; do you know that?—The pressure at the Poultry is in the early portion of the morning chiefly, and the latter portion of the afternoon.

696. From about half-past nine?—From about half-past nine till twelve, and from about half-past four to six. Then the pressure is relieved after that period.

697. Now, you know nothing about the omnibus traffic of London; how the course of it is determined, or anything of that kind, do you?—No, I do not.

[The Witness was directed to withdraw.

Mr. *George Sidney Hatton*, called in; and Examined by Mr. *Johnson*, as follows:

698. YOU are an Accountant, I believe, by profession, are you not?—Yes; I am the special accountant of the Metropolitan Board of Works.

699. Now, have you estimated the amount which the wine and coal dues would realise per annum; and, estimating the rate per-cent. at which you could raise money, what in a number of years that sum would represent?—Yes.

700. Be good enough to tell me the aggregate figure and the rate per-cent.?—I have taken the coal tax at the amount realised in the year 1862 at 162,222 *l.*, and find that at 4 per-cent. within the 20 years, the sum of 2,204,649 *l.* could be raised and discharged.

701. At what rate per-cent. have you assumed the money to be raised in giving that figure?—Four per-cent.

702. That is the ninepenny duty only?—It includes the ninepenny duty and the wine duty.

703. Can you give me also (or some question may be raised upon it), at the rate per cent. of 4¼; what difference does it make?—£. 2,110,173.

704. One might reasonably, in the present state of the money market, assume that the money might be raised at 4 per-cent.?—I think so, at the present state of the market.

705. Can you tell me, also, what is the present accumulated fund in the hands of the Treasury?—£. 336,000.

706. Now, I have one more question to ask you. It was opened by my friend Mr. Hope Scott that certain contributions had been paid out of the fund of the Metropolitan Board of Works from time to time towards improvements in the City?—Yes.

707. Have you those in a tabulated form?—Yes.

708. Perhaps you will be kind enough to give my friend a copy of it, if you have one, and we will then get it upon the notes in a tabulated form?—Yes.

709. And will you hand it in?—Yes. (*The Witness handed in Document marked* A.—Vide *Appendix.*)

Cross-Examined by Mr. *Russell Gurney.*

710. Now, I see by the paper which my friend has handed to me, that the sum of 18,000 *l.* odd has been contributed towards improvements in the City?—It has so.

711. Are those improvements generally improving the access to the City from other parts?—Yes, it is so.

712. And have those contributions been made, the City contributing twice as much themselves?—The City contribute two-thirds.

713. You have contributed one-third?—Yes.

714. The great part was for the widening of Newgate-street, I believe?—Yes.

715. Now, you have spoken of a contribution which you have generously made towards these improvements. What is the amount that the City contribute towards the sewage?—It is one-tenth part.

716. I am not speaking of the Main Drainage rate; of the other?—It is one-tenth part; it will in future be one-tenth part.

717. About how much is that?—That depends entirely upon the requirements of the year.

718. But upon the average of years, what has it been for the last four years?—For works alone?

719. For all that the City have paid towards the sewage works, excluding the Main Drainage?—For works alone about 30,000 *l.* a year.

720. That they have paid?—No, their proportion.

721. What is there besides works?—Interest on mortgage debts and management expenses.

Mr. *G. S. Hatton.*

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722. What is the whole amount of which the City have had to pay one tenth it is between one ninth and one tenth, is it not?—It is very nearly one tenth.

723. What is the whole?—I am not aware of the exact figures.

724. I do not ask you it exactly, but be good enough to give it me as near as you can?—I think the last precept was between 9,000 *l.* and 10,000 *l.*

725. For the single year?—Yes.

726. How much have they received towards their sewers?—I do not understand the question.

727. How much has been expended upon the City sewers upon the average of years during this time, while they have been paying 9,000 *l.* or 10,000 *l.*?—By an arrangement with the Metropolitan Board, the engineer has not interfered with the alteration and repairs of the City sewers; therefore they have not been charged by the Board for the works.

728. What benefit has been obtained by the City in return for their contribution of 9,000 *l.* or 10,000 *l.* a year; have not their payments been ten times what they have received?—With respect to the contributions received towards City improvements.

729. I am not saying a word about the City improvements now; they have contributed two-thirds of those; I am speaking merely of the sewers' works; I ask you whether their payments have not been ten times what they have received?—That is very probable; for the works done in the City have been very few.

730. They have completed their sewers at a large expense, have they not?—They have one large complete sewer, but that is all, I believe.

731. Are you accountant to the Board?—To the Board.

732. Then you can tell us, probably, what is the estimated nett cost of the Covent Garden-street?—I am not aware of the estimate.

733. There has been an estimate sent in at the time that the balance was handed over to the Treasury?—Not an estimate; it was a statement of the actual expenditure.

734. And of the probable returns?—Yes.

735. Those two together would give us the nett cost?—Yes.

736. It is not an engineering question, I suppose?—No; 64,000 *l.* is the amount of the nett cost, which amount we have claimed of the Government in respect to the charge upon coal.

737. The estimate was larger, and it is now reduced to 64,000 *l.*?—That is so.

Re-Examined by Mr. *Johnson.*

738. Let me rightly understand. As regards the City, do they stand with reference to the main drainage in any other position than any vestry or Local Board?—None whatever.

739. For instance, the main drainage in the City, is that done as it is in other parts by the Metropolitan Board of Works?—It is now.

740. Mr. *Russell Gurney.*] I forgot to ask you what was the sum to be expended upon the main drainage; the original estimate?—I think it was 2,800,000 *l.*

741. Have you recently had an estimate of the probable expense?—I believe the engineer has made an estimate; I have no official knowledge of what it is.

742. Have you not had a return laid before your Board of the sum you had authority to raise, 3,000,000 *l.*?—Yes, under the Act of Parliament.

743. Have you not had a return recently made to you, that you will now want 4,750,000 *l*?—I have no knowledge of that fact.

744. You have no knowledge at all of it?—No.

745. Not perhaps of the exact sum, but you can, perhaps, tell us about?—I have no knowledge whatever of it.

746. How far does your knowledge go?—I believe that the engineer has made a report upon the subject; I do not know whether it has been published yet. I think it exceeds 4,000,000 *l.*

747. Is it not four millions and three quarters?—I think not.

748. Mr.

748. Mr. *Ayrton.*] With regard to the charges imposed upon the City, are those charges imposed in the same rate upon the City as upon the other parts of the town?—Yes. Mr. *G S. Hatton.* 23 April 1863.

749. There is no difference in the relations of the City to the Metropolitan Board of Works and any other district?—No.

750. They are all under the same Act?—Yes.

751. The same footing?—Yes, of course.

752. You have given an account of the coal duties and wine duties; but what year was that in?—1862.

753. For what part of the year?—For the entire year, ending 31st December 1862.

754. Are there any other monies carried to the account of the Metropolis Improvement Fund besides those two items?—I think not.

755. What has been done under the Act which directs that the monies of the London Bridge Approaches Fund shall be carried to the Thames Embankment and Metropolis Improvement Fund?—I think that that forms part of the accumulated fund.

756. But are you aware of the fact?—No; I am not aware of the fact.

757. Mr. *Tite.*] In the account which you put in, you show that there is a contribution granted by the Metropolitan Board of Works towards the expense of the public improvements from 1856 to 1863 amounting to 18,291 *l.*?—Yes.

758. That is, for improvements and widening of streets in the City?—Within the limits of the City.

759. As is well known, that is in the main, one-third of the whole amount of the expense, as has been suggested by the City?—Yes.

760. That figure would represent between 50,000 *l.* and 60,000 *l.* spent in improvements?—In the aggregate.

761. When the City is spoken of, do you know from what source two-thirds of that sum is derived?—I have no official cognizance of the fact, but I am told from the consolidated rate.

762. You are rightly so told; it is derived from a rate paid by me or any other householder, levied by the Commissioners of Sewers, which is a body in a certain extent different from the Corporation, a Commission being sent to them every year; they appoint Commissioners and spend a portion of the rate?—I have paid a portion in these improvements; therefore, it is not the Corporation proper that does it, but individuals.

763. That is your impression?—Yes.

764. Now, with regard to the other contribution of one-tenth of 30,000 *l.*, that is raised, in like manner, by a rate levied by the Commissioners of Sewers?—Yes.

765. Therefore, in truth, I, in respect of any house I occupy in Lowndes-square, am paying a portion of that 18,291 *l.*?—Yes.

766. Mr. *E. Egerton.*] Can you distinguish between the amount of wine and coal duties?—I cannot.

767. Mr. *Tite.*] The coal and wine duties have nothing to do with the contribution of the City to these improvements, although that may be so with regard to ourselves?—It has nothing whatever to do with it.

768. Mr. *Johnson.*] Now, do you hand in a Report of the Select Committee of 1861, upon the Metropolis Local Taxation; showing the area, the number of inhabited houses, and the population?—I do. (The Witness handed in a Parliamentary Paper, intituled, "Third Report from the Select Committee on Metropolis Local Taxation, with the Proceedings of the Committee, Ordered, by The House of Commons, to be Printed, 26 July 1861.")

[The Witness was directed to withdraw.

Joseph William Bazalgette, Esq., called in; and Cross-Examined by Mr. *Clerk*, as follows:

769. WILL you be good enough to tell us what is the object of continuing that subway along by the foreshore of the river, as I see this Plan which you produce proposes, up to Chatham-place, I presume?—Yes. *J. W. Bazalgette*, Esq.

770. What is the object of that?—The object of that is to get a continuous line of subway.

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771. What is to be gained by having that continuous line of subway here?—To enable gas-pipes, water-mains, telegraph-wires, and possibly other things hereafter to be carried along.

772. To be carried from that subway passing under the Thames Embankment to the new subway under the new street?—Yes; to make a continuous line.

773. A continuous subway?—Yes.

774. Now it descends here from under the Embankment at a gradient of 1 in 20?—Yes.

775. There it gets into the bed of the river?—Yes.

776. The foreshore?—Yes.

777. Is it brought up by the same gradient?—It is.

778. Of 1 in 20 to join the roadway under the street?—It is.

779. Do you know whether it is proposed to have a sewer along the new street under the subway?—Yes.

780. That is part of your scheme, I presume?—Yes.

781. Who will have the control of that sewer hereafter?—The main sewer will run along two-thirds of the length, and that will be under the Metropolitan Board of Works.

782. I am speaking of the sewer under the street; the sewer is to be carried along under the subway?—In other cases we have retained those sewers in our own hands; I presume we should do so here.

783. The district sewer there, then, will be under the control of the Metropolitan Board of Works?—That will be a main sewer in that case, not a district sewer.

784. How?—All sewers under the Metropolitan Board of Works are main sewers.

785. If it remains in the hands of the Metropolitan Board of Works it is called a main sewer?—It is called a main sewer.

786. *Chairman.*] The great main sewer is to run under the street until its junction with Cannon-street West?—And then it turns down Cannon-street; then there will be another short sewer carried there.

787. Mr. *W. Cubitt.*] And the sewer from Westminster going right through to the east, will be under the control of the Metropolitan Board of Works in perpetuity?—Yes, part of the main drainage.

788. But the sewer from the Royal Exchange and the Bank into Cannon-street, to go into that main sewer will not be one of the main sewers remaining under the Metropolitan Board of Works?—I think it would; it has been so in the other streets.

789. Do you mean that every great sewer in the City of London will come under the control of the Metropolitan Board of Works?—They are now; every other main sewer is now.

790. Mr. *Ayrton.*] The Fleet sewer?—The Fleet sewer, the London Bridge sewer, and several others, are placed under the control of the Metropolitan Board of Works.

791. Mr. *W. Cubitt.*] But there are sewers not quite of that description; there is a sewer in Cannon-street West at the present time?—Yes, I presume so.

792. You would not call that a main sewer?—No.

793. That is not under your control?—No.

794. Would not the sewer that is to come from the Mansion House back into the main sewer be one of that description?—It would; but it would be inconvenient to place that under the control of the local body, because they would have to enter the subway to get to it to repair it, and so forth.

795. Then it would come under the control of the Metropolitan Board of Works, because it would be a sewer made by them?—It would necessarily be under their control unless they declared it to be a district sewer.

796. With whom would it rest to declare that?—The Metropolitan Board of Works.

797. I presume that there is a sewer running along Bishopsgate-street?—Yes.

798. Is that under the control of the Metropolitan Board of Works at this time?—I do not recollect what sewer runs under Bishopsgate-street.

799. Probably you do not know of any sewer, except such as you have alluded to, the Fleet and the London Bridge?—Yes, and two or three others.

800. There

800. There is one in Walbrook?—Yes.

801. Mr. *Tite.*] This power which the Metropolitan Board of Works has, they always had under their original Act?—Yes.

802. The main sewer was placed under their charge?—Yes.

803. That applies to the parish of Chelsea as well as to the City of London?—It applies to all parishes and districts.

804. With respect to the sewer in Fleet-street?—I do not recollect what it is.

805. You will catch it up?—Yes, we intercept the mains. It will all come into the system of interception.

806. Mr. *Ayrton.*] The main sewers are those sewers which lead through London to the Thames?—They are generally the arterial lines into which all the branches fall. With respect to a piece of roadway from Cannon-street to the Bank, I should like to give some further information. I find that in point of level passing along the new street from Cannon-street West by the new line to the Bank, the road would descend four feet and rise again one foot.

807. *Chairman.*] Will you be good enough to explain on the Map where that is?—Yes. (*The Witness pointed out the road on the Map.*) In passing from Cannon-street to the Bank by the direct line, the traffic would fall four feet and rise one foot; whereas passing from the same point along Cannon-street to the proposed station at Dowgate the traffic would fall 12 feet, and would have to rise again up Walbrook to the Mansion House eight feet, thereby passing over, up and down, 15 feet of height unnecessarily, and that might be improved by getting nearer the direct line; but the further you deviate from the direct line the worse the levels become.

808. Mr. *Ayrton.*] Are you aware that it is the opinion of people who drive that these gentle rises and falls are rather a relief to the horse than otherwise?—But this would not be a gentle rise and fall; the fall in Cannon-street being 1 in 46, which can be avoided.

809. The million of money was spent to make that street with the inclination that now exists in it?—It is defective, nevertheless.

810. It would not have been felt a grave defect, then?—It is felt to be a very grave defect upon a thoroughfare of that kind; it is a very great defect.

811. *Chairman.*] It is a defect that you would rather avoid than imitate?—It is an engineering defect.

812. Mr. *Ayrton.*] What would be the gradient in Walbrook?—About one in 76.

813. That would not be a serious defect?—It is a defect.

814. But not a very serious one?—No.

815. You do not consider it a defect at all fatal to a scheme?—Not fatal, certainly.

816. But objectionable?—Yes, objectionable. If I can get a proper street, if I can get level, it is preferable to any gradient.

817. You do not think that it is a serious defect to a street that it is one in 76?—No.

818. Or one that ought to be taken notice of in considering the proposal of a street?—I think if it was a question of improving Walbrook itself as a cross street, I would take no notice of it. I would be satisfied with it; but if I take it as a question of free traffic, and find that I can avoid the descent of one in 46, and the rise again of one in 76; if I do not take advantage of an improved line, I consider it a great defect.

819. Do you consider it any serious objection to the new street that it has a gradient of one in 76?—*Per se*, I do not.

820. Mr. *Tite.*] One in 46, you would?—Yes.

821. Do you know the gradient in Queen-street?—No, I do not.

822. Mr. *Ayrton.*] Will you be good enough to inform the Committee what is the present estimate for completing the main drainage works as far as you have been able to make it out on the present plan now modified?—Probably about another million.

823. Four millions in the whole?—Yes; it is an estimate, and it arises not out of the main drainage works by themselves, but it arises out of other charges having been made payable out of the main drainage fund. There is some increase stated due to the increased cost of the works, but not so much as stated by the learned counsel.

824. Mr. *Tite.*] The street which has been made by the Corporation of the

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City of London, they had not any particular choice as to its levels, seeing that all the property on the one side of the street was sold?—They had not clearly. They had to form junctions with all the cross streets also; it is very difficult to alter the cross streets.

825. You say that you can in laying out a new one, have the advantages of which you have spoken?—Yes, we can gain the advantages by that route which cannot be gained by any other.

826. Mr. *Russell Gurney.*] Is there not another half million of money for covering the main sewer?—There will be; but that has nothing whatever to do with it; that refers to the sewers enumerated in Schedule D; it has nothing in the world to do with it.

827. Mr. *Tite.*] It is the large open ditches round London?—Yes; it has never been considered by anybody yet; those sewers were placed in the hands of the Metropolitan Board of Works.

Mr. *Johnson* stated that this was the case for the Promoters of the Bill.

Sir *W. Alexander* was heard to address the Committee on the petition of the Corporation of the City of London against the Bill.

Mr. *Joseph Duddy* was called in; and Examined by Mr. *Russell Gurney*, as follows:

Mr. J. Duddy.

828. ARE you Chief Inspector of the Police in the City of London?—I am.

829. Is your attention necessarily directed to stoppages in the traffic in the streets of London?—It is.

830. Has your attention been a good deal directed to the impediments to the traffic at the eastern corner of the Mansion House?—It has.

831. Where Walbrook meets the Poultry?—Yes.

832. Is that a point where there is now very considerable difficulty in arranging the traffic?—Yes; there are frequently obstructions caused there by carriages coming out of Charlotte-row, and crossing the line of carriages going eastward.

833. Charlotte-row is the continuation of Walbrook?—It is.

834. It is the wide part by the side of the Mansion House?—Yes.

835. Will you be good enough to point that out?—Yes. (*The Witness pointed out the same on the Plan.*)

836. Would any considerable increase of traffic at that point be a very serious inconvenience, do you think?—Very considerable.

837. Do you know any way by which you could arrange the traffic with convenience to the passengers, if there were any considerable increase at that point?—No, I do not.

838. At present Walbrook is what is called a single carriage street, is it not?—Yes, except at certain parts.

839. Except where carriages can draw up, and let others pass?—Yes.

840. That traffic causes a very considerable obstruction to the cross traffic, does it not?—To the cross traffic.

841. Of course, that now is very small; that coming up Walbrook?—It is.

842. At least, compared with the traffic of the main streets of the City?—Yes.

843. Now, on the other side of the Mansion House, on the eastern side, is there ample room for any traffic that might be brought from the south or from the east by St. Swithin's-lane?—It would be preferable, decidedly.

844. What is the width that you have there; I do not know whether you have taken that?—No.

845. Is it above 100 feet; is it 110?—From the corner of St. Swithin's-lane to Lombard-street?

846. Yes?—Yes, I should think it is; passing by the obelisk opposite St. Mary Woolnoth Church.

847. For any additional traffic to be brought, in your opinion, would that be a preferable place to bring it?—Decidedly.

848. Do you see any way by which you could arrange the traffic if there were a large quantity of additional traffic brought into that end of the Poultry?—No, certainly not.

Cross-Examined by Mr. *Johnson*.

849. What is it that causes the obstruction, and where does it occur?—In Mansion House-street, at the northern end of Charlotte-row.

850. Charlotte-row is that wider street that comes out towards the Poultry?—Yes, at the western side of the Mansion House.

851. You see that Plan there on the wall; do you think if the Poultry were widened, it would at all alter your view with regard to the obstruction that would take place at that point?—In a very slight degree, if any; all carriages going westward would necessarily be stopped.

852. Do you mean that at present carriages are stopped by the streams of traffic flowing east and west; coming out of Walbrook at that point now?—No; the carriages coming out of Walbrook stop carriages going east and west; and omnibuses gladly avail themselves of an excuse to stop there, because it is so advantageous to them to wait there to take up passengers.

853. Would not that be still more the case if you carried it on the other side of the Mansion House, and there intercepted the traffic of two or three other streets coming up in that direction?—No; it is observable that there are five streets converging at that one point, and the number of carriages is necessarily much greater in King William-street.

854. Do they not converge more to the eastward of the Mansion House than they do to the western side of the Mansion House—the streets themselves—the flow from the streets converges to a point to the east of the Mansion House more than to the west, does it not?—No.

855. Do you know at all the width of these streets yourself; do you know the width of the Poultry at present?—I know that it is wide enough for only three carriages.

856. Do you know the measured width?—No; but I can describe that there is only room for three carriages to pass abreast in the Poultry.

857. Between the kerb-stones?—Between the kerb-stones.

858. Now supposing that the width of that Poultry were increased; suppasing that it was 120 feet as against 22 feet, do you think that that would obviate any obstruction that you say now takes place at the corner of that Poultry, if the Poultry were widened at this point nearest the Mansion House to 120 feet as against 22 as at present?—It would lessen the obstuction, certainly.

859. Is it the narrowness of the Poultry that causes the obstruction, or is it the streams of traffic running in different directions?—It is the narrowness of the Poultry.

Re-Examined by Mr. *Russell Gurney*.

860. You have been asked by my friend as to the streets on the other side of the Mansion House; is there anything like the traffic along King William-street that there is at the end of the Poultry?—Certainly not.

861. Supposing that just the corner of the Poultry were widened, would that be sufficient to accommodate the traffic there, if there were an increase from the new street?—Not effectually, because the same difficulty would remain of crossing the line of traffic where it is one or two lines of traffic going westward.

862. Mr. *Ayrton*.] Is that point at the west end of the Poultry, near the Mansion House, the exact place where the omnibuses all take up their passengers now?—The omnibuses chiefly take up their passengers in front of the Mansion House, but there is a dispositiou to loiter in the whole length of the Poultry.

863. Are they compelled now to drive on after they have passed the Mansion House, or are they allowed to stop to take up passengers when they have entered the Poultry, at the corner of Charlotte-row?—We have no power to prevent them.

864. But do they stop to take up passengers?—Yes.

865. Would it at all facilitate traffic if there was a circulation all round the Mansion House; a street on both sides of the Mansion House?—Yes, certainly, that would relieve the pressure.

866. Do you think that the foot passengers would be subject to much inconvenience in passing alongside in front of the Mansion House into the Poultry,

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if the first 70 feet of the Poultry were taken away, and made into a roadway?—Do you mean if the Poultry were widened.

867. No; if that piece of the Poultry were taken away on the northern side, and that piece at the southern end, would that produce inconvenience to passengers passing along the Poultry to the front of the Mansion House?—I should think it would; the number is so great, and if the traffic were great also in the new street, it would necessarily cause a large accumulation of foot passengers until it would be convenient for them to pass.

868. And if persons wished to cross from the north side of the Poultry, to get to the back of the Mansion House and that district, would there be much difficulty if a great deal of Charlotte-row were taken down, and a space were substituted from the north side to the south side of the Mansion House. supposing a considerable portion of Charlotte-row were taken down, would that be of much inconvenience to foot passengers?—The inconvenience would be in proportion to the increase of traffic.

869. Mr. *Tite.*] You understand that Plan on the wall before you; according to that Plan, a new street is proposed to go from Blackfriars' Bridge in the line of that Map?—Yes.

870. And ending at last at the corner of the Mansion House?—Yes.

871. That street is to be 90 feet wide, and is to continue from Blackfriars' Bridge to Westminster Bridge; that is the project. Do you understand that eventually it is to be a street from the Bank, the Mansion House and the Exchange coming out here?—Yes.

872. Do you imagine that the traffic of omnibuses and carriages is to remain in the Poultry just the same when that street is made as it is now, and that the traffic is to be poured into that street all other things remaining the same; that the same amount of traffic will continue when that street is made, or will not a considerable portion of the traffic turn down the new street in order to get to these points which I have suggested to you?—Some would, undoubtedly, avail themselves of the new street, but it would diminish the traffic probably; the omnibuses to Westminster would doubtless avail themselves of the nearest route.

873. And the traffic going over to the other side of the river, to the South Western for instance, never would go along Cheapside to the east?—No.

874. The traffic would be an entire change of traffic?—No, not an entire change. There are a great number of Westminster omnibuses.

875. The traffic would be a good deal modified by the circumstances of this new street?—Yes.

876. Did you imagine that things were to remain as they are, and the traffic of a new street there poured in at a point where it is hardly possible to carry it on now. Do you not think that 90 feet would help to diminish the pressure?—Yes. The great obstacle, it appears to me, would always be that the carriages going from the new street by Charlotte-row would cross the line of carriages which will always be numerous, and frequently compact, going westward.

877. Mr. *Ayrton.*] You mean that the traffic of the four streets on the east is gathered into the neck of the Poultry, and that there it would strike by an oblique line the traffic, which would obstruct the whole?—Yes.

878. And make the confusion worse than ever it was before?—Yes; I believe it would be worse. The more the traffic is increased from Charlotte-row, the greater would be the obstruction. The drivers of omnibuses particularly, as they do now at every point, would so avail themselves of every opportunity of loitering against the Mansion House, because it is there that they get the greatest number of passengers.

879. Mr. *Tite.*] How could they loiter west of the Mansion House. There is a large opening there, that black line is all taken away?—But wherever the line crosses eastward of that, omnibuses would loiter.

880. What, in the middle of the street?—Yes, three or four deep; they do now.

881. Do you imagine that in that large broad opening, which would be 120 or 130 feet, they could not loiter in that interval?—They would loiter in front of the Mansion House, but not at the actual point of crossing.

882. But the Poultry would be relieved, and the traffic turned in another direction?—The obstruction would be increased.

883. Supposing, instead of that street coming up as I have described, you widen

widen Charlotte-row and the whole of Walbrook, and the traffic of the new station came up there, what would become of it then; would it be better or worse. You know there is to be a station in Dowgate?—Yes.

884. If it is suggested that you widen Walbrook and Charlotte-row, and turn all the traffic up into that new street; if that state of things occurred, would it be any better or worse, or about the same?—It would increase the obstruction. Any increase of cross traffic would cause an obstruction, by stopping the line of carriages going westward, and whether it came up obliquely or at right angles would make no difference.

885. I want you tell me, if you can, the class of traffic which at present comes along Walbrook. Is it very heavy and also very considerable?—Frequently vans.

886. Can you tell me why they choose Walbrook rather than Queen-street?—A great number come up Dowgate-hill from Thames-street; some come from Cannon-street.

887. They take that line because it is the shortest?—Yes, it is the most direct.

888. Have you ever heard the suggestion made, that it was less steep in Walbrook than in the other direction?—No, I have not.

889. Lord *John Manners.*] How practically now, does the Westminster traffic go, starting from that point you have spoken of?—A great number of omnibuses going to Westminster start from the Bank.

890. And what line do they take from the Mansion House?—They go along the Poultry, Cheapside, through St. Paul's Churchyard, and by way of Ludgate-hill and Fleet-street to the Strand, and so to Charing Cross and Parliament-street.

891. Mr. *Crawford.*] Do you not think, that whatever may be the course that some omnibuses may take which serve the distant parts of the town, there will always be a great omnibus traffic to serve the streets themselves; people, for instance, getting in at Temple Bar and getting out at St. Paul's Churchyard?—Yes.

892. Therefore, the formation of the new street will not relieve the traffic in diminishing the number of omnibuses which serve the local traffic of London?—I think not; so many ride in omnibuses, short distances.

893. Mr. *Clay.*] Have you observed that the omnibus traffic is already considerably relieved by the Underground Railway?—I think not in omnibuses.

894. Do you expect that the street will be considerably relieved when they get their terminus at Finsbury?—I think it probable.

895. Has the number of omnibuses recently diminished?—I can only judge by appearances. I do not think the number of omnibuses is diminished.

896. What do you say with respect to cabs?—With respect to cabs I could not give an opinion.

897. Mr. *Crawford.*] Would there be a greater difficulty in managing the traffic after the station at Dowgate-hill is completed?—If the streets remain as they are?

898. Yes?—Probably.

899. What occurs to you as the best mode of relieving the traffic which would be brought into that part of the City?—To have a street eastward of the Mansion House.

900. You would prefer a street running in that direction, in preference to the enlargement of Walbrook?—Yes.

901. Would it not be attended with much practical inconvenience for passengers arriving at the Dowgate station, in Cannon-street, going towards the Bank, to proceed westward along Cannon-street to the point of intersection of the new street, and then go along the new street back to the Bank. Will not that be very inconvenient to the majority of passengers who come into the City by railway?—Oh, certainly; a great number would have to diverge from their line of route.

902. And do you not think that the turning of so large an amount of traffic upon an acute angle there will be attended with great public inconvenience?—It would, certainly; it is always objectionable.

903. *Chairman.*] Have you had any experience of the traffic near a railway station?—No, I have not.

904. Do you not think that, as a general rule, it is very desirable to prevent a thoroughfare

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a thoroughfare traffic from coming into collision and mixing itself up with the traffic going to a railway station?—Yes, certainly.

905. And do you not think it would be a great disadvantage if the traffic from Blackfriars' Bridge to the Mansion House were brought closer to the traffic that was going to and from the station in Dowgate; would there not be a disagreeable intermixture of the two classes of traffic?—It would depend very much upon the route that carriages leaving the station would wish to take.

906. Is there at present any confusion or obstruction at that point where King William-street and Lombard-street join in a slanting direction?—No, there is not.

907. Is there any obstruction where the Cornhill and Threadneedle-street traffic join in a slanting direction?—At certain periods of the day when the number of carriages is very great.

908. Supposing that King William-street were stopped up altogether and that the traffic that now goes through King William-street and Lombard-street were obliged to go, the whole of it, through Lombard-street, in your opinion would that be any improvement or not?—Lombard-street would be blocked; it is now.

909. You do not think it would be any advantage to remove one of the slanting streets and make all the traffic go through the other?—It is an advantage to have two certainly.

910. You think that principle generally applicable, do you?—Yes.

911. Do you consider it an advantage or not to have two slanting streets meeting together at the Poultry, or only one; at present you have only the Poultry. I ask you whether you could treat that western side of the Mansion House as the eastern side of the Mansion House is treated; that is to say, I want you to consider whether part of the traffic that now comes through the Poultry could come through another street in a slanting direction, where it is pointed out upon that Map near Charlotte-row, and then I want you to consider whether the traffic would not pass much more easily through these two streets that join together in a slanting direction, instead of going as at present through one street without any slant?—Do you mean that there shall be another street leading from King William-street?

912. You find that the traffic goes more easily through King William-street and Lombard-street, although they unite together at an angle, than if they had to go through only one street. I ask you whether the traffic on the other side of the Mansion House would not go better through two streets meeting one another in a slanting direction, than having to go through the Poultry alone?—Yes; but that all depends upon the amount of cross traffic.

913. If you do not find that cross traffic inconvenient either at the entrance to King William-street or Cornhill, why should it be so remarkably inconvenient at the entrance to the Poultry?—Because there is a little wide space in front of the Mansion House,

914. But supposing that we make a very wide space at the mouth of the new street at the west of the Mansion House, will not that greatly facilitate the passage of the carriages?—I should add that not only is it because the space is so wide, but because carriages are going in various directions; but so many are concentrated in front of the Mansion House going westward.

915. Mr. *Crawford.*] Is there much through traffic in Lombard-street?—Very little, comparatively very little.

916. Mr. *Ayrton.*] Is the pavement in Walbrook large enough for one person to pass the other?—Not easily in some parts.

917. Is it not now so narrow that if a cart is near the pavement, a lady could not pass along it without either touching the wheel of the cart or sweeping the wall?—Yes.

918. Mr. *E. Egerton.*] The station is to be open for passengers only, is it not?—I believe so.

919. It is to be for goods hereafter, is it not?—I do not know.

920 Most of the obstructions now in the City are caused by the great waggons, are they not?—Public carriages, cabs, omnibuses.

921. And large vans?—Vans, certainly.

922. How would it be if those vans were driven at night?—It would tend to diminish the number.

923. Do they not send a number of carts passing from the South Eastern Railway

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Railway to the North Western Railway; are there not a number of those waggons?—Yes, and a great number.

924. Is it not that sort of obstruction that blocks up the streets?—A great number of obstructions are caused by carriages coming from wharfs on the southern side going northward and eastward, particularly from over London Bridge; timber frequently.

925. Is it not a fact that all the luggage consigned to the City from the South Eastern or Brighton Railway Companies must go to the City some way or other over London Bridge?—It is the most direct way.

926. If there are the means of conveying that by the Metropolitan Railway, will not the City be saved all that traffic?—It will lessen it certainly.

927. Mr. *Tite.*] Are you aware of the means taken by the Blackwall Railway with regard to sending their traffic; it comes all round London, and finally finds its way to the East and West India Docks?—Yes.

928. Mr. *Ayrton.*] Which way does an omnibus, going from the City to Westminster, go? Does it use Cannon-street, or go all round?—All the omnibuses go round by the Poultry, Cheapside, and so on.

929. Why do they not avail themselves of the short cut through Cannon-street; what induces them to go round by the Bank?—Because of the great number of passengers to be picked up near the Mansion House. They consider that the best place for passengers.

930. The Mansion House and the Bank are the great centres to which persons go?—Yes; persons know that they can get an omnibus almost to any part of London at the Bank or the Mansion House, and therefore they proceed there.

931. Mr. *E. Egerton.*] The Bank is the terminus, is it not, of all of them?—No, very few; comparatively few.

932. Mr. *Clay.*] Are there omnibuses running along Cannon-street?—There is no line of omnibuses in that direction.

[The Witness was directed to withdraw.

Mr. *John Foulger*, called in; and Examined by Mr. *Russell Gurney*, as follows:

Mr. *John Foulger.*

933. YOU are the Inspector of Police having charge of the Poultry district, I believe?—I am.

934. And having the regulation of the traffic at that part?—Of the traffic there.

935. Now, do you experience any considerable difficulty at the east end of the Poultry, in arranging the traffic?—Very great difficulty; the Poultry is a narrower street than any part of the City, in proportion to the traffic.

936. Does that difficulty in a great measure arise from the cross traffic there?—Yes, from Charlotte-row and that neighbourhood.

937. Is that traffic small, in consequence of the narrowness?—Yes.

938. Do you think that the difficulty would be very materially increased, supposing that cross traffic were increased?—It would be very much; it would be a difficulty both to the vehicles and also to foot passengers, while the lines of traffic will be stopped to get the vehicles from that corner up the Poultry; the foot-way would be stopped also.

939. The traffic, as regards foot passengers, is immense there, is it not?—Yes, it is very great.

940. Do you think that there is any way by which the traffic could be conveniently arranged there, if there were any material increase of traffic at that point?—Not at that point.

941. Supposing the traffic brought from the south were brought to the side of the Mansion House, would it be less inconvenient there a great deal?—A very great deal. We should have more room to disperse it.

942. A great part of the omnibus traffic comes from Holborn, does it not?—A great deal from all lines. The omnibuses passing there, a great many go off at Newgate-street, and a great many at St. Paul's Church.

943. Do the majority of the omnibuses go by Fleet-street?—The majority do go by Fleet-street; but a great number go the other line.

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Cross-examined by Mr. *Phinn.*

944. I did not gather from you whether you have looked at the line of the proposed street, to ascertain whether it would diminish the difficulty at present?—I believe it would not; I believe it would increase it.

945. You think it would increase it?—I do, at that point.

946. That is, as between the intersection at Cannon-street and the Mansion House?—At the junction with the Poultry; that is where the difficulty will arise.

947. Do you happen to know whether any great quantity of omnibuses use Cannon-street now?—Very few.

948. Supposing they had a good broad run down that part, would they not go that road?—I think not.

949. Why not?—They do not like that road, they like to go to the Mansion House, where they get six passengers in a few minutes, whereas, the other way they would not get two.

950. Supposing you wanted to go from the Mansion House to the foot of Ludgate-hill; do you know whether the proposed line would not be a very great relief to that; how much longer would it be to go along Cannon-street and Cheapside, or round by our proposed road, and then turn up?—For foot passengers it would be no nearer.

951. But what would be the difference in distance; do you know?—I do not.

952. Supposing that it was 100 yards further, you would avoid first of all Ludgate-hill and the block round St. Pauls?—Certainly.

953. Is not that terrible block just where Cheapside pours into St. Pauls?—No; not so much as we have in the Poultry; we seldom have any great blocks at the top of Cheapside, because we have three wide streets to get rid of them.

954. Is there not often a great block at the top of Cheapside?—Very seldom.

955. Even if this were 100 yards further you would have a gentler descent in the first place than you would have going down Ludgate-hill, would you not?—From where?

956. Supposing you started from the Bank and wanted to go to the corner of Fleet-street; supposing, for instance, a barrister wanted to go to the Temple, do you not think it would be much better for him coming from Guildhall to go up this way into Fleet-street than to encounter Cheapside?—He would have the advantage of going into the lower part of the Temple, but that would relate to the Temple only.

957. But to any part of Fleet-street?—Then he would take the old line of road.

958. You know what the stoppages are on Ludgate-hill?—Yes.

959. Are they not sometimes as much as 10 minutes?—Yes.

960. Would not that be a great relief although the circuit was greater?—But the difficulty would apply when you got to the bottom of Fleet-street.

961. But it is a wider place?—Yes.

962. You do not know the difference in distance?—No.

963. But assuming that it was 100 yards further, would it be as convenient to persons in cabs to encounter a better level than to go down a bad gradient; do you not think that this would give that advantage?—Very little, I think.

Re-Examined by Mr. *Russell Gurney.*

964. If the new street were constructed as far as Cannon-street they could avail themselves of it?—Yes; they would go down Queen-street and get into Cannon-street.

965 A person going from Guildhall to the Temple would not go round by the Mansion House?—No.

966. That would be through just the worst part of the City?—Yes.

967. Does the obstruction at Ludgate-hill arise from the cross traffic north and south at the bottom of Ludgate-hill?—Yes.

968. And from the Old Bailey?—A great deal, but the principal is at the bottom.

969. Where

969. Where the east meets the north and south?—Yes.

970. That causes very considerable stoppages in Ludgate-hill?—Yes.

971. Mr. *Ayrton.*] Are you aware that there is a plastered wall at the back of the Mansion House that prevents any thoroughfare?—No; there is a footway round the Mansion House.

972. But there is a blank wall there, is there not?—Part of that is the church wall; then there are the churchyard railings, and at the east side of the Mansion House, at the end, the houses in George-street.

973. It is not ornamental at all, is it?—No.

973*. Supposing that that wall were taken down, and a large area opened, and that the streets on the east side of the Mansion House were made into a thoroughfare all round, and that then Walbrook came into that open space, so as to give plenty of room for omnibuses coming in there, do you think, if they came into that open space into the main thoroughfare in the Poultry, that would be a relief to that traffic?—I do not think they would take that road.

974. You think that they would not go round by the new station?—No.

975. But still by the Poultry?—Yes; they set down so many passengers at the junction of those streets.

976. If you could go round the Mansion House by an open thoroughfare, and come out, it would be a great relief, would it not?—If we could get there.

977. And if they could take up passengers on the east side, instead of taking up on the front of the Mansion House, that would be a great relief?—We have no power at present to prevent them taking up anywhere.

978. Mr. *Tite.*] To do this, St. Stephen's church, Walbrook, would have to be pulled down?—Yes.

979. Would any amount of traffic go by that road rather than by St. Paul's, and that way?—There might be some.

980. You think that they would still prefer the old crowded line?—They would like the old crowded line. We have plenty of room at the east of the Mansion House to separate the traffic, but on the west we have not.

981. Mr. *Crawford.*] Do you know the site of the proposed new station?—I do.

982. That will bring an immense deal of traffic into the City, it being the terminus of all the southern lines?—Yes.

983. Now, the lines to which your attention has been called being presumed to be practically blockaded in the vicinity of the Mansion House, what other route can people take?—They would have to go higher up towards Abchurch-lane.

984. Supposing that that street which you see upon the Plan were made, do you think that it would be convenient for passengers to proceed westward along Cannon-street to the point where the new street crosses Cannon-street, and then proceed up the new street to the Mansion House?—No, they would either take Walbrook or St. Swithin's-lane, and if they were blocked up with carriages they would have to take whatever was open, as they do now.

985. If that new street were made, would there not be great inconvenience by passengers having to come round that sharp corner (*pointing to the Plan*)?—The railway bridge would be somewhere about the word "Blackfriars."

986. Supposing a passenger proceeding from the word "Blackfriars" upon that Plan, to the point where the street is, do you not think that there would be a great public inconvenience from the traffic having to pass along that sharp corner?—Sharp corners are very objectionable to the traffic of London, but there, I should think, there is plenty of room.

987. Bearing in mind that the traffic going from the station to the Mansion House would have to cross the whole traffic from Blackfriars to London Bridge?—St. Swithin's-lane is their direct route.

988. Is St. Swithin's-lane practically useful for that purpose?—No, it is not wide enough.

989. *Chairman.*] The Poultry is 32 feet?—Yes.

990. That new street that you see marked there is 70 feet wide; supposing a cab going from the Exchange down to Ludgate-street to the west of St. Paul's, would not that cab find it a great advantage to go through a new street of 70 feet wide instead of going through the Poultry, which is only 32 feet wide, and going much further round to reach Ludgade-street?—Yes, it would; a cab would probably go that way if it was in a hurry.

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991. And, therefore, the block which now exists in the Poultry could not be expected?—No; the block would be at the neck of the Poultry. The cross traffic from the new street would be a continual obstruction to get it out.

992. Any cab going from the Exchange, and which wanted to avoid a block, would go through the new street down to Cannon-street West, and through Cannon-street to Ludgate-street?—Yes.

993. And that would be a great advantage to every body concerned, would it not?—Yes.

994. Mr. *Tite.*] Now coming over Southwark Bridge, and desiring to get to the Exchange; unless I can get up Queen-street, or up Walbrook, is there any possibility now, either in St. Swithin's-lane or Abchurch-lane, of getting through; is not St. Swithin's-lane practically stopped up by the trade carried on there?—Practically it is.

995. There are wagons in the curve generally?—Yes; loading and unloading. If a wagon is unloading, the traffic behind it must wait till it is unloaded, and then go on.

[The Witness was directed to withdraw.

Mr. *Adam Shalford*, called in; and Examined by Mr. *T. Chambers*, as follows:

Mr. *A. Shalford.*

996. YOU are an Inspector of City police?—Yes.

997. You have heard the evidence of these other persons?—Yes.

998. Do you agree with them in saying that the introduction of traffic along this new street, and its being poured out at the corner of the Poultry, will increase the difficulty experienced there already?—Yes.

999. What do you think of a foot-crossing 70 feet wide at that point; would that be inconvenient and dangerous to the public; the street being 70 feet wide there, are there a great number of passengers passing up and down there?—There is a very great stream.

1000. Would the fact that that stream would have to cross a new street 70 feet wide be dangerous?—Very dangerous.

1001. Supposing that instead of the upper part of that street being made, St. Swithin's-lane were widened, and the traffic from this new street were brought along and turned into King William-street, would that be less or more inconvenient than taking it in at the Poultry?—It would be more convenient to take it eastward of the Mansion House.

1002. In King William-street all the traffic going westward, I suppose, is on Cannon-street side of it?—Going westward.

1003. Would the traffic, to pass up St. Swithin's-lane, glide into that traffic without having to cross it, if it was going to the Mansion House?—I do not perfectly understand you.

1004. I will describe it?—Yes, they would glide into it.

1005. But supposing that they went up the new street, would they have to cross all the traffic going westward?—They would necessarily stop.

[The Witness was directed to withdraw.

Joseph William Bazalgette, Esq., called in; and further Examined, as follows:

J. W. Bazalgette, Esq.

1006. Mr. *Ayrton.*] CAN you inform the Committee about when the Thames Embankment is likely to be completed from this period?—The Thames Embankment itself, I should think, will be completed within three years.

1007. From this date?—From this date; the laying out of the streets upon the Embankment will take a longer time.

1008. I mean the streets and all, so as to make it complete. When may it be used for traffic?—It may be used for traffic from end to end before the side streets are completed.

1009. When do you suppose it will be used for traffic?—I think the Embankment roadway from end to end might be ready in three years from this time; where the purchase of property is involved as it is in the other connexions, it takes

takes a longer time; we hope to let the contracts in June. Three years will be ample time to finish it. *J. W. Bazalgette* Esq.

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John Hawkshaw, Esq., called in; and Examined by Mr. *Russell Gurney*, as follows:

1010. I SUPPOSE, in form, I must ask you whether you are a Civil Engineer?—Yes. *John Hawkshaw* Esq.

1011. I believe you are engaged in constructing some of the bridges for the Charing Cross Railway?—Yes.

1012. Is there one station which they propose to have, a City station, in Cannon-street?—Yes.

1013. Facing Cannon-street?—Yes.

1014. To that station is the traffic along the South Eastern Railway to be brought for the City?—Yes.

1015. It is the City station for the South Eastern Railway?—Yes.

1016. Is there likewise a railway, the Charing Cross Railway, which is to run from what used to be Hungerford Market to the City?—Yes.

1017. I believe there is a separate line of rails for that distinct railway?—Yes.

1018. Is it anticipated that there will be a very large traffic brought from the west to the east in that way?—No doubt

1019. Is the City traffic of the South Eastern Railway likewise large?—Yes, no doubt.

1020. Both their long traffic and their suburban traffic?—Yes.

1021. Now, do you anticipate that there will be a very large traffic brought by those two lines of railway into Cannon-street?—Yes; I should think the traffic as between Charing Cross and Cannon-street will be very large; I contemplate that trains will run every ten minutes from the City to Charing Cross. The traffic altogether to and from the Cannon-street station will be very, very large.

1022. But the South Eastern City traffic is also very large?—Yes.

1023. And likely to be increased when they have a more convenient station in the City?—Yes.

1024. Now, does the South Western Railway communicate with the Cannon-street Station?—We have made a connexion with the South Western so that their traffic may be forwarded. They have not yet undertaken to run their trains to Cannon-street; negotiations have been commenced with reference to their doing so, and have not yet been concluded.

1025. Now, has your attention been directed to the proposed new street, coming out at the corner of the Poultry; the street first of all from Blackfriars' Bridge to Cannon-street, and from Cannon-street to the Poultry?—Yes, it has.

1026. Will the northern part of that street, in your judgment, be a convenient way for the traffic from the Cannon-street station to get into the heart of the City?—Do you mean the street on the Map on the wall?

1027. Yes?—No, certainly not; the street shown upon that Map would be of no use whatever to the Cannon-street station; not the slightest.

1028. Do you think it possible that this may introduce very considerable changes in the course of the traffic, bringing this station into Cannon-street?—No doubt. I should expect the construction of a railway between Charing Cross and Cannon-street, for the purpose of local traffic, because it will be so arranged that there will be an independent railway between those two points upon which the through traffic can never come. I should think that that is tantamount to making a street of itself. The traffic which will be taken between those two points, will be very, very large. It will be limited only by our powers to carry it, therefore you will have thrown into the Cannon-street station a very, very large number of passengers,

1029. Can you point out whereabouts your station comes on the Map?—Yes (*the Witness pointed out the same on the Map*).

1030. Mr. *Ayrton*.] Will you make it in that model, with ink?—Yes; (*the Witness marked the same on the Model*).

1031. Mr. *Russell Gurney*.] That is where the pencil mark appears on the lager Map?—Yes, it is exactly in a line with the Mansion House precisely. In

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point of fact, my original intention was to take it to the back of the Mansion House, but I found it impossible to do that without putting the station up-stairs, and therefore it was stopped on the south side of Cannon-street.

1032. I suppose that a large portion of that traffic is wanting to get to the Bank and the Exchange?—Yes.

1033. The great pressure is to that point?—Yes.

1034. This new street you think would be of no use whatever?—Certainly not, for that purpose.

1035. Now, supposing that there were a street widening St. Swithin's-lane, and that direction and coming out at the east of the Mansion House into King William-street, in your opinion would that be a much more convenient mode of accommodating the traffic?—Manifestly, it would be better for the traffic and the station.

1036. Taking into consideration the traffic along the street from Blackfriars' Bridge to Cannon-street, and also the traffic passing from your station, is that what you think would be best for the public interests?—If the question were how much accommodation could be afforded to the public by a given outlay of money, if that were the question, then I think that a street made somewhere opposite to Cannon street Station towards the corner of the Exchange would afford a larger amount of public accommodation than a street in the direction shown upon that Map.

1037. Is there a considerable difficulty in seeing exactly the course the traffic takes before the construction of the station?—There can be no doubt that the construction of the Cannon-street station and Charing Cross Railway will very much modify the course of traffic. What it will be, no human being can tell. I do not profess to state what it will be, but that it will have an important effect upon the streams of traffic there can be no doubt.

1038. How soon is that station to be opened?—We are just beginning to build the bridge at Cannon-street. I should think it will take a couple of years.

1039. Two years from this time?—Yes; the Charing Cross Railway will be open to London Bridge before that, but that would not affect the Cannon-street question; we shall open that in the autumn as regards London Bridge.

1040. That will affect the traffic a great deal westward?—Of course it will take a certain amount of traffic out of the City, and out of Cheapside and out of those streets leading to Cheapside.

Cross-Examined by Mr. *Phinn*.

1041. The more traffic you take out the more traffic comes, does it not, in London?—Looking forward to any lengthened period of time, all I can expect to do by railways is to prevent the streets from getting impassable. Without them they would be impassable.

1042. Have you any plans showing where the entrance to the station would be and what the accommodation would be?—This Plan does show that.

1043. Do you propose a yard, anything like the yard at the London Bridge station, where the cabs will stand?—Yes, adjoining Cannon-street I propose to have a courtyard of considerable depth; 70 feet to 100 feet in width probably.

1044. So that you would have no cabs stand outside?—The cabs taking parties to the station will go into that yard and deposit their passengers at the booking offices. Passengers alighting at Cannon-street and wishing to go up to other places will be brought in near the river; they will be brought up an inclined plane and they will go out into Cannon-street, so that they will not cross each other.

1045. Will there be any mode of coming at the back of your station, so as to get into Upper Thames-street?—Yes.

1046. Will there be an outlet there?—Close to the river I shall make an access for the cabs, so that they will get up just as they do at the Waterloo station; they will come up there and go along the arrival platform, and put out their passengers and go away; it is the same arrangement as we are making at Charing Cross exactly.

1047. Do you anticipate for this station more what is called omnibus traffic, a great many persons who walk to the station and from it, or do you anticipate a large

large number of people with luggage?—You will have both. The South Eastern Railway traffic to the City will be people with luggage, and the West End traffic will be walking traffic.

1048. The South Eastern traffic?—From the Continent.

1049. All that do you anticipate being brought to Cannon-street?—Yes, it will become a roadside station.

1050. People going to the eastward of King William-street; all that district down the river, if I may use the expression, on the Middlesex side, they would alight at London Bridge?—I do not think it would be worth while for the South Eastern Company to.

1051. Would they have facilities?—I should not think it would be worth while for the South Eastern Company to stop express trains at London Bridge; they would run on to Cannon-street; that observation does not refer to Greenwich, and short trains.

1052. You said that the street ought to be brought to the east of the Mansion House; would you show me upon that Map what line you would take?—The best thing would be to make them both, if the money were found. It happens that Cannon-street is not a crowded street; hitherto, omnibuses have never passed along it, and I do not believe they ever will, because it is not a street of shops. Omnibuses go along those streets where people go shopping, therefore this street is not crowded; the course of traffic would be to pass along Cannon-street until you come to a point here (*pointing to the Plan*); it would be the cheaper thing; it would be bringing them round about 150 yards (*describing on the Plan*).

1053. What is the width of Cannon-street at the point between which you would bring your street, just at the point of its intersection?—I do not know it from memory; I will measure it (*measuring*), it will be about 60 feet at one place; I should think that will be about the narrowest place. Just after passing Dowgate-hill it gets narrower.

1054. You showed me roughly how you take your street up towards the Mansion House in the first place; that would give two rather awkward angles?—Not as it is shown on this Map.

1055. Would you not have two?—In the street laid down on this, and coloured yellow, it is rounded off.

1056. And that narrow throat of 60 feet would be continued along Cannon-street?—No doubt.

1057. Are you aware that you would carry your street to Rothschild's?—We do not; we might; the yellow street leaves on the western side of St. Swithin's church. As shown here, its width at the entrance would be 130 feet, so that it would have a bell mouth. It then passes to the right of Salters' Hall, so as to avoid Salters' Hall; curves across St. Swithin's-lane, widens the eastern side of St. Swithin's-lane, after crossing it, and enters King-William-street opposite the end of St. Mary Woolnoth, and, I understand, it is proposed to make it 100 feet wide.

1058. You spoke of it as cheaper?—No, I said it was the cheapest of these, but I should think, on the face of the Map, it must be cheaper than the street you have there.

1059. You do not actually know the occupants of the houses?—No, I do not.

1060. You do not know whether you touch Smith, Payne & Smith's?—Oh, no, certainly not.

1061. Nor Rothschild's?—Certainly not.

1062. Nor Mathison's?—No.

1063. Nor Travers's?—No.

1064. Mr. *Crawford.*] Nor the Church?—Nor the Church.

1065. Mr. *Phinn.*] What are the levels of the portion of Cannon-street which you thus use for traffic, as between the point of intersection of our street and the turn into your new street; do you know what the level is?—No, I do not. Betwixt the end of the Cannon-street station, and the terminus of the street, and Lombard-street, there is nothing objectionable in the levels.

1066. I think there is a descent, is there not, from the point of Cannon-street, where my finger is, to the corner of your proposed station?—There is a descent of 12 feet.

1067. Mr. *T. Chambers.*] For what distance?—That would be about one in 70.

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1068. Mr. *Phinn.*] Assuming it to be about 1 in 46, between the point of intersection and Dowgate-hill, that is a level that had better be avoided, is it not?—You had better have a thing perfectly horizontal if you can, but it is not bad for a street.

1069. Would your proposed street, from Cannon-street, begin with a sharpish rise?—No; there is a little rise. I should say that the rise to Lombard-street would not be objectionable to the street.

1070. Have you looked at this carefully?—Yes; because on a former occasion a widening of Walbrook was discussed, and I was then looking to the propriety of continuing the station up to the Mansion House, or making this access to it. I have not levelled it.

1071. Now, will you be good enough to tell me, when were you first called in by the City on this Bill?—Two or three days ago. I am not called in by the City, I am only here to state a few facts with regard to the station.

1072. Mr. *Ayrton.*] Have you ever observed, as you are driven in a Hansom cab, that the man generally turns at every right angle he comes to; instead of keeping along a straight street, he keeps turning in and out to the end of his journey?—They are very fond of going backways; fonder than I am sometimes.

1073. But have you observed the fact, that they do turn always at right angles, whether to relieve the horse or for some reason or other?—I do not know that it has struck me.

1074. Mr. *Tite.*] I understand you to state, that it was your opinion that the most economical mode of managing the communication would be the one which you have now described; you do not, however, condemn the one before you, as being a very fine work?—Oh no, not at all.

1075. Supposing this terrace, which I suppose the finest in Europe, constructed at the cost of a million of money, then this new street, constructed at the cost of half a million, to get to this point by your scheme, is this portion to be abandoned? If so, it would end there. You would then go along here. You would meet with your terminus. You would then have a crooked street going off to accommodate the property up there (*pointing to the Plan*)?—Yes.

1076. And that would be the way that a gentleman coming from these houses would have to find his way to the Bank or to the Mansion House?—Yes.

1077. Now, do you think that that is at all a work that would be creditable to Englishmen to execute at this period of time, and to leave the other part unfinished?—I should like to see both done.

1078. But, I ask you, would it be creditable?—If I assume all the facts, as you put them, I consider the Cannon-street Station just as important to the public as the Thames Embankment. I consider that it will carry a larger number of passengers, and that it will be of more value to the public than that street. If I assume that that will be made, and you put a question to me as to the creditable mode of doing it, the best mode of doing it will be, in my judgment, to make the line from the neighbourhood of Cannon-street station, and the most creditable, because it will be the best and most sensible mode.

1079. But not in an engineering or architectural point of view, spending a million and a half of money, and then for the mere sake of convenience, abandoning that piece?—I am not an advocate for abandoning it; I am supposing that you are only making one. If you make this, and not the other, I think you will have made a mistake, and not done that which is the best for the public and for the City.

1080. I suppose you would regret to see a great work of that kind cut off, would you not?—I am supposing that you only make one. I should make the one to Cannon-street station, certainly.

1081. Mr. *Ayrton.*] Since the opening of the railway to London Bridge and Victoria-street, omnibuses pass the Mansion House, and go to those two stations as their terminii?—Yes.

1082. Do you think that when this new station is opened, there would be the same necessity or demand for public convenience, that the omnibuses coming from the north and east of the Bank should continue their journey to the Cannon-street station as their terminus?—Yes.

1083. Therefore, it would be for the general convenience a matter of the first importance that that great system of omnibuses coming from the north and east

of

of the Mansion House should be able to go on to the station?—Yes, they would go there, no doubt.

1084. And when you speak of the greatness of this traffic, do you consider that that represents the public convenience also?—Yes.

1085. It is, in point of fact, the measure of the public convenience?—Certainly.

1086. The great traffic of the London Bridge station will, when this station is made, be divided between the Cannon-street station and the Charing-cross station?—Yes.

1087. Are you aware that within the City there is a great necessity for the public convenience that people should have very quick access to a station from the heart of the City?—Yes.

1088. Are you sufficiently familiar with the streets leading from the Bank to the station to be able to say that there is convenient access for foot-passengers at present to the station?—There is not.

1089. Are there not many occasions of constant occurrence when foot-passengers come in crowds to a station; for instance,in the afternoon on a Saturday, when they wish to go in a great hurry and in great crowds?—Yes.

1090. I mean, having reference to the Crystal Palace and other railways, they come in great numbers and at certain hours?—Yes.

1091. You expect that?—Yes.

1092. And for which no provision can be made unless there is proper access to the station?—Yes; I believe that you will pass from Cannon-street to Charing Cross in five minutes; that will tell the story; if a man can do that, he will not drive along a stony street.

1093. Mr. *Crawford.*] Will you have intermediate stations?—It was originally proposed to have three or four stations; upon my advice, that was reduced to one at Blackfriars, because I believe that the traffic between the City and Charing Cross is so large that to attempt to stop every half mile would destroy its utility; the probability is, that many of the trains will not stop at all; they will run every 10 minutes; we only propose, at present, to stop at one station.

1094. Lord *John Manners.*] What is the distance between your station and the corner of King William-street?—About 180 yards.

1095. Would there be any difficulty in people finding their way from the station to the Bank?—Assuming the new street to be made.

1096. Without any regard to the new street?—They cannot get into King William-street without passing up Walbrook or some of those streets.

1097. Not up Cannon-street?—Oh, I thought you meant the other corner; I misunderstood the question (*measuring*), it is very nearly half-a-mile to go to the Exchange that way.

1098. What streets are available?—There are Walbrook, St. Swithin's-lane, and Abchurch-lane.

1099. Is there also another street?—Nicholas-lane; Nicholas-lane is nearly as round-about as the one I have just given.

1100. What is the width of Abchurch-lane?—It is very narrow; it seems to be about 12 feet.

1101. What was it you said with respect to Thames-street?—I said that I should make an access for cabs close to the Thames, at the bottom of All-hallows-lane, so that passengers coming from the Continent, for instance, Dover or Folkestone, would enter close to the river, and come up alongside the platform and drive out. They will enter Bush-lane and Allhallows-lane, so that they might not cross the cabs.

1102. Do you contemplate making any use of Thames-street as an access to or from your station?—No; we shall go over it. It is a very narrow street now; I do not think that any gentleman would want to alight there.

1103. But as your plans are at present prepared, you propose an access by Cannon-street?—Yes, and close to the river; the station occupies the whole of the space between that and the river, and for a distance of about 300 feet.

1104. Mr. *Ayrton.*] If that street which is marked yellow were made, and there were an open space on the north side of Cannon-street, would you not then be able to appropriate to your own purposes the open space you desire to keep on the south side of Cannon-street, and, if so, should you not contribute something to the cost of that?—I should propose to keep the front of the station back; we are making a front yard at Charing Cross 230 feet long by 115 feet broad.

John Hawkshaw, Esq.

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1105. Mr. *Tite.*] How far will it be by that yellow crooked line?—From the station?

1106. Yes?—Seventeen chains; the other is about double the distance.

1107. Lord *John Manners.*] How would the levels be with respect to that?—Oh, the levels are very good. There is nothing objectionable with the levels.

1108. Mr. *E. Egerton.*] Do you expect that you will be able to carry goods?—At Charing Cross we are not allowed to carry goods. There is no prohibition, but this place is too valuable to bring goods there.

1109. *Chairman.*] You said that the London Bridge Station would cease to be used as a terminus for the Continental passengers; would persons now going from the west of London have to go to the Cannon-street Station or to the Charing Cross Station?—Charing Cross.

1110. So that the through traffic you would expect to come to Cannon-street would be only that traffic which is nearer to Cannon-street than to Charing Cross?—Just so.

Mr. *Alfred Allen*, called in; and Examined by Mr. *T. Chambers*, as follows:

Mr. *A. Allen.*

1111. YOU are principal assistant in the office of the City Architect, I think? I am.

1112. Now, we are told that he is away ill?—It is so.

1113. Now is this your Plan lying on the model?—It is.

1114. Did you set out upon that Plan the line of street marked yellow?——I did.

1115. And also the others?—I did.

1116. Now with regard to the line of street marked yellow, that comes into Cannon-street, opposite where the railway station is to be?—It does.

1117. Is it arranged with a very wide mouth, curving round both ways?—Just so.

1118. What is the width of the street throughout?—The street would probably be 80 feet, or it might be increased in width if found necessary.

1119. It passes very near to Salters' Hall?—It does.

1120. And New Court, Baron Rothschild's?—It does.

1121. And some other valuable properties?—Near to them.

1122. Does it avoid interfering with any of those valuable properties?—It does.

1123. Now, is the property required for constructing that street property of more than an ordinary character?—When I was requested to lay down a line of street to accommodate the traffic from the proposed railway towards the Royal Exchange and the Bank, it struck me of course that a straight line of street would be most desirable; but when I came to look at the property I found that it interfered with three very large establishments of a most expensive description.

1124. That is Salters' Hall?—Smith & Payne's; the large premises of Messrs. Rothschild, who are just at this moment laying out a very large sum on their premises, making them infinitely more valuable. It then interfered with Salters' Hall, which would also be a most valuable property to take, and that, could other means be provided, it would, perhaps, not be judicious to take such property. I then turned my attention to see where a line of a less expensive character could be formed. First, as a matter of course, the east side of Walbrook took my attention, but, as an architect, I certainly should very much hesitate to attempt to interfere with St. Stephen's Church. I then drew a line showing the widening of the west side of Walbrook, but that would also throw an increase of traffic to a point which, perhaps, would not be very desirable. I then found that a street could be formed, which is shown here with a brown tint, and which passes from the south end of Walbrook, between St. Stephen's Church and Salters' Hall, and finding its way into King William-street at Smith & Payne's, but that is not so advantageous a line as the line which is shown by the yellow colour. It takes less expensive property, and answers every purpose in connexion with that railway.

1125. Is that a rather curved street, but without angles?—Without any angles.

1126. Would that street be fairly economical, considering the position of it, and

and would it give ample accommodation to the public, in your opinion?—I should say, certainly.

1127. Would there be a very facile flow of the traffic from that street into the line of traffic going westward into King William-street?—Yes, it would flow into the traffic; it would not cross it.

1128. Now that is not a plan which the Corporation have agreed upon, or anything of that sort?—No, it is merely a suggestion of mine, in a hurried manner.

1129. And it has not yet been submitted to them?—It has not yet been submitted to them.

1130. Now you know Walbrook and St. Swithin's-lane; is there any good access for foot passengers through those streets to the Bank and Exchange, at crowded times?—Their nearest way would certainly be down St. Swithin's-lane from the Bank and the Royal Exchange.

1131. Now is that a convenient place for foot-passengers?—No, it is not.

1132. Messrs. Travers's carts stand at one end of St. Swithin's-lane, do they not?—Yes, this line is so laid down as not to interfere with the heavy vehicles, such as carts, which are constantly standing at Travers's warehouses, loading and unloading.

1133. And you have allowed for those vehicles?—I do not interfere with them.

1134. So that that would avoid interfering with the traffic that would come up the street?—Yes.

Cross-Examined by Mr. *Phinn.*

1135. Now, first be good enough to tell me when did you first receive instructions to lay down this alternative line?—About three days since.

1136. You received your instructions since this Bill has been in Committee?—Yes.

1137. And from whom did you get your instructions?—I got my instructions from the City Solicitor.

1138. What were those instructions?—To find out a line which could accommodate the traffic from the railway towards the Bank and Royal Exchange; the proposed railway.

1139. Those were your instructions?—Yes.

1140. That is to say, without any reference to accommodating it to any proposed new line of street?—I did not consider it in connexion with that, but in connexion with the railway.

1141. You had simple instructions to lay down a street as between the railway and the Mansion House and Exchange?—It would probably take the traffic from Southwark Bridge.

1142. What point would the traffic coming over Southwark Bridge meet the railway station traffic and the traffic brought westward by the new street; at what point would they converge towards this new street?—They would turn from Queen-street into another wide street, and in fact the widest part of new Cannon-street.

1143. So that you would bring three streams of traffic into this bell-mouth?—The traffic from Southwark Bridge is very small.

1144. But small or great you would bring it to the bell-mouth?—Yes; and the bell-mouth would receive it.

1145. Now, with respect to those three lines, putting aside cost and putting aside church, I ask you which is absolutely the best line?—The line coloured yellow.

1146. That is the least costly?—Yes.

1147. Does it not turn rather too much to the east?—I think not. Probably had these very expensive properties not been in the way, I should have turned it more to the west, but only a little.

1148. Now, be good enough to tell us what are the levels of your intended street?—The levels I have not gone into; but there are many persons who know the levels of St. Swithin's-lane; they are not at all of a heavy gradient.

1149. What length would your proposed street be?—Rather more than 500 feet.

1150. That is the length of it?—Yes.

Mr. *A. Allen.*

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1151. Well, then, point out upon this model the exact point at which you are; there is Cannon-street; there is the railway station; will you just point that out to the Committee; show them where you bring it out?—Yes (*the Witness pointed out the same*).

1152. *Chairman.*] Are the Committee to understand that the existing St. Swithin's-lane is to be part of the new street, or not?—It is.

1153 Mr. *Phinn.*] Now, will you give me the distance between the exit of the railway station, going down Cannon-street, and coming up King William-street to the point where your new street will come out, supposing you went down Cannon-street, coming out of the station, and turning up King William-street?—It is rather more than twice the distance.

1154. It is 1,000 feet as against 500?—Full that.

1155. Now, what would that street of 500 feet cost?—That has not been gone into.

1156. I thought you said you went through less expensive property than we suggest, but you say you really have not had time to go into that?—I have not.

1157. I suppose you have had plenty of experience in the City?—Plenty.

1158. And you have not even guessed that, I suppose?—No.

Re-Examined by Mr. *T. Chambers.*

1159. Supposing the traffic to continue down Cannon-street, and then to turn into King William-street, in your opinion, would that be a convenient or an inconvenient angle?—A most inconvenient angle.

1160. Is the angle for the traffic of your proposed street in your opinion a very convenient one?—Very convenient, because it meets the traffic, and diverges in just the manner that the traffic should go.

1161. Mr. *Ayrton.*] Have you been in the church at the back of the Mansion House?—I have; I may state that few architects have not.

1162. Is the outside of that church plastered wall, or at all ornamental?—It is masonry.

1163. Is it brick and plaster?—It is not plaster.

1164. Are you sure of that?—At any rate it is a wall.

1165. But are you sure that it is not a plastered brick wall?—I have not taken particular notice of that, but the beauty of that church is the interior, not the exterior.

1166. In its decorations or form?—In its form and structure altogether.

1167. Do you see any difficulty whatever in reproducing that form and structure elsewhere?—No.

1168. It is painted on lath and plaster?—The beauty is its form; not any decorations.

1169. Decoration is painted lath and plaster, is it not?—Probably.

1170. Then the design is the beauty of it?—And the construction.

1171. Then there is nothing in it that you yourself could not do, having the same plan?—Nothing.

1172. Nor is there the least difficulty in taking it down and building it up again as it is?—I think there might be a difficulty in rebuilding that identical structure.

1173. What difficulty?—In preserving the materials.

1174. Do you mean if there were particular preservation with regard to each plank?—No, but that which is certainly ornamental; the ornamental portion of the church; there would be a very great difficulty in retaining that.

1175. Mr. *W. Cubitt.*] There are 16 Corinthian columns?—Yes.

1176. Mr. *Ayrton.*] Is there any difficulty in preserving those?—Yes.

1177. The identical stone?—There is no difficulty in reproducing that with other materials.

1178. But if you injure these materials there will not be the least difficulty in getting other materials instead of them?—No.

1179. Have you any idea of what the supposed cost of taking the church down and rebuilding it would be?—No.

1180. It is a wooden roof covered with lead?—Yes.

1181. The only thing that can be spoken of is the Corinthian columns?—No; as an architect, I would hesitate very much indeed before I touched such a building.

1182. But

1182. But as an architect you would not hesitate to build such a building?—No.

1183. Not as a memorial to Sir Christopher Wren, if you were desired to do so?—If I were requested to construct a church precisely similar to that, there would be no difficulty about it.

1184. Could you give me an idea of what it would cost to construct such a church?—Churches are built at prices varying from 10,000 *l.*, 20,000 *l.*, to 30,000 *l.*

1185. Such a church, with such a roof, could be built for that?—About that figure perhaps.

1186. *Chairman.*] As an architect, you would rather consider it sacrilege to touch so celebrated and beautiful a work as that?—Yes, I should hesitate before taking down such a church.

1187. Mr. *Clay.*] Are you aware that about 40 years back the steeple of Bow church was taken down?—It was repaired.

1188. It was entirely taken down, was it not?—I think not.

1189. *Chairman.*] Does the direct line which you have marked red, pass through any of the valuable properties you have mentioned?—It touches them, and probably the very fact of touching them might induce the parties to say you shall take them.

Veneris, 24° *die Aprilis*, 1863.

MEMBERS PRESENT:

Mr. Ayrton.	Sir James Buller East.
Mr. Bramston.	Mr. Holland.
Mr. Clay.	Lord John Manners.
Mr. Cowper.	Mr. Tite.
Mr. Crawford.	

THE RIGHT HON. W. F. COWPER, IN THE CHAIR.

Thomas Elliott Harrison, Esq., called in; and Examined by Mr. *Russell Gurney* as follows:

T. E. Harrison, Esq.

24 April 1863.

1190. YOU are a Civil Engineer?—I am.

1191. You have had very considerable experience with reference to railways?—I have.

1192. And in considering matters of metropolitan railways, I think?—Yes.

1193. Mr. *Tite*.] Where?—I have been consulted, I think, in most of these railways; in the Charing Cross Railway. I was examined in the case of the Charing Cross Railway, and of this Cannon-street Railway.

1194. Mr. *Russell Gurney*.] I think you gave evidence upon this matter of the Charing Cross Bridge Railway, did you not?—I did; the end of their extension to Cannon-street.

1195. Was your attention then directed to the effect that that would be likely to produce upon the metropolitan traffic?—It was, particularly.

1196. Now, do you anticipate a very considerable change, in the course of the metropolitan traffic, in consequence of the construction of that railway?—Certainly; I think that the proposed mode of working it, by which the trains from Charing Cross to Cannon-street will not occupy more than five minutes, will not only carry almost the entire traffic which now goes along the streets, but also that all the traffic which now passes by steamers between the City and Charing Cross, will be transferred to the railway, independent of which there is the whole traffic from the South-Eastern system of railway, and traffic which would come to the Waterloo Station of the South-Western Railway. I came to the conclusion that the extent of that traffic, which will be delivered at the Cannon-street Station, will be something enormous.

1197. Is it not difficult, before actual experience, to ascertain the extent of the traffic that may be anticipated?—There is always a difficulty in knowing the exact route which the traffic will take; the traffic to the Cannon-street station will be of a double nature; that purely local, coming from the West End of London, and also the terminal station in connexion with the South Eastern Railway.

1198. Now, are you aware of the proposed extension of the Metropolitan Railway; the underground railway to Moorgate-street?—Yes; I was examined upon that also.

1199. Will

1199. Will that be brought just north of the station in Cannon-street?—It will; Prince's-street will be the access to that.

1200. Will there be a great quantity of cross traffic from north to south, and from south to north, from one end to the other at those points?—The probability is that there will be.

1201. Now, in your judgment, will the street which is laid out there to the north of Cannon-street, from Cannon-street to the Poultry, be a good way of accommodating that traffic?—I do not think it would; I think that that would be little improvement to the present route.

1202. Looking to the traffic which is brought by the street by Blackfriars' Bridge to Cannon-street, and also to the traffic which is brought to the Cannon-street station, which do you think would be the best way of providing for both these traffics; by a street from Cannon-street to the Poultry, or by a street opposite to the Cannon-street station, taking something, the line of St. Swithin's-lane?—Do you mean on the assumption that only one is to be made?

1203. Yes?—That question would then be determined by the number of passengers likely to travel by the two routes; upon that, I have not the slightest doubt that the railway will bring infinitely more passengers than will be carried by steamers, and if there is to be only one, I think that would be the deciding point as to which would be the most useful.

1204. For the general accommodation of the traffic?—Yes.

1205. The South Eastern passengers wanting to go to the north would have to make a cross there for the Metropolitan station?—Clearly so; I think that the passengers coming to that Cannon-street station; I think you may take it that the centre near the Bank of England would be the great point to which they would have to look to arrive at.

1206. The Charing Cross station would not be near to any railway?—The Charing Cross is not.

Cross-Examined by Mr. *Phinn*.

1207. I do not mean to ask you anything with regard to the earlier part of your evidence, but you have now brought in an element with regard to which I must put a question to you; with respect to the station in Moorgate-street, has the Bill passed for that?—Yes, it has.

1208. What would be the distance from the end of the street which we propose to the station in Moorgate-street?—I can only judge by having walked it; I should think about 500 or 600 yards, going along Prince's-street.

1209. Prince's-street would bring the traffic from that station to the Bank?—Yes.

1210. Mr. *Tite*.] It runs along the side of the Bank?—Yes.

1211. Mr. *Phinn*.] You have said that, looking at the railway traffic, you do not think that this street would accommodate it satisfactorily by itself?—I do not.

1212. But there are other considerations besides railway traffic; putting what is actual instead of what is future, do you not think this street generally well laid out for the actual state of the traffic?—I should say, for the contemplated traffic resulting from the Thames Embankment, it is; it is laid out with a view to accommodate the traffic of the Thames Embankment, ignoring any question of the station in Cannon-street.

1213. Now, have you considered any substituted line up toward the Bank of England?—Yes; I saw a plan upon which three schemes were laid down, and the adoption of those plans would a great deal depend upon property.

1214. But have you gone into it yourself, in order to ascertain whether it would be a good substituted scheme?—The one which is free to the largest extent from interference with valuable property is that which goes up St. Swithin's-lane, and that would be the best that could be adopted having reference to Cannon-street Station.

1215. That would be an excellent street for Cannon-street station simply?—Yes.

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1216. And an excellent street, probably, for bringing the traffic from Moorgate-street to Cannon-street station, and *vice versâ*?—Yes.

1217. That would resolve itself very much into a question of cost?—Clearly, no doubt of this; if you were to have both, that would be the best thing unquestionably; but if it were simply a question about the money, which would only accommodate one, in my view, it would more resolve itself into which street would give the largest account of public accommodation. However desirable it may be to make the street shown upon the Plan, the line going by Cannon-street and St. Swithin's-lane would afford the largest amount of accommodation. I came to this conclusion, when I examined the question of the Cannon-street station; the foot passengers delivered at that station neither would be sufficient for the purpose.

1218. *Chairman.*] Neither of which?—Neither Walbrook nor St. Swithin's-lane, they are constantly blocked up. I have gone through them hundreds of times myself, and I can state that nothing can be more inconvenient than they are.

1219. Mr. *Phinn.*] Do you know the length of that proposed street?—No, I do not.

1220. Yesterday it was given us as 500 feet?—I should think something more.

1221. We are content to take it as 500 feet; it was also given in evidence that from the front of the station going down Cannon-street and up King William-street is only 1,000 feet to the same point?—I should think that must be a mistake. I am not speaking from actual measurement, and, therefore, I may be mistaken. It is a matter of fact which can be easily ascertained.

1222. Now, when were you asked to consider this question on behalf of the Corporation of London?—I believe it was on Tuesday.

1223. You have not taken levels, and so on?—No; but I examined it very carefully when this Bill was before Parliament, and I am thoroughly acquainted with that part of the City of London.

1224. You came to the conclusion, I suppose then, that, putting this street aside altogether, it was desirable to have a better access from Cannon-street in front of the station to the Bank than now exists?—Yes, clearly. I considered that that would force itself upon the City, and would have to be done.

1225. That is a very obvious thing to any one standing with his back to the station and looking to the north?—If you are well acquainted with the nature of those streets, you must see that some such communication must be made.

1226. If you have only that one street, your view is that you would prefer to drop this street at the point of Cannon-street, and go round these angles into King William-street?—I am not speaking at all in that case as a matter of taste. As a matter of taste, my feeling would be to see both done; but as a matter of public convenience, I say, undoubtedly, that the other street, though with a circle, would be the best.

1227. Is not one of the greatest defects in this street the narrowing of it at this point (*pointing to the Model*)?—It is.

1228. Would you not continue that effect by using the end of Cannon-street?—This does not propose to alter that.

1229. Lord *John Manners.*] Do I understand you to say that you were consulted as to the terminus of the Charing Cross Railway?—I was; I was examined, and gave evidence upon that subject before the Committee of Parliament.

1230. Did it occur to you, then that the proposed site was inconvenient?—At Charing Cross?

1231. No?—At that (*pointing to the Model*). At Dowgate?

1232. Yes?—I thought it exceedingly convenient as regards the town, but as regards the question of access from the station to the Bank, and to that district, I came to the conclusion that it would become a matter of absolute necessity to make a new street, for it to give the public convenience.

1233. Did you look forward to any means by which the accommodation would be provided?—The idea that Mr. Hawkshaw and myself had, without going into the question of the value of property was, that in all probability Walbrook would be improved.

1234. At whose expense did you contemplate widening Walbrook; at the expense of the City?—Decidedly.

1235. You, and those for whom you acted, thought it right to run the risk?—Yes; I judged by the experience I have had in these matters. I will take the case of Newcastle. I there built one of the finest stations in the Kingdom, in the centre of the town. In that case the Corporation of Newcastle are now going to make that which is a street directly approaching the station in the centre of the town. I am not aware that they have ever been called upon to widen the streets.

1236. It is the habit, as far as you know of railway companies, to fix their termini in important towns without widening the streets?—Hardly, to that extent. There is a certain extent to which you can carry the question of a railway station, and perhaps you cannot go beyond that. In the case of Cannon-street, that was as near as you could get to that, which was the heart of the town. I had no doubt that the time would come when public necessity would point out to the City authorities that it would be advantageous to improve it. I am not aware of any case in which a railway company has made a new street in a town itself to a station.

1237. Mr. *Tite.*] Not in Birmingham?—That is merely from the town down to the station; but that is on their own property. That is an access to a station.

1238. *Chairman.*] Did I rightly understand this to be your opinion. You have had put before you that it is to be assumed that there can be only one communication between Cannon-street and the Bank, and that the alternative is either the communication proposed by this Bill, or a new one to widen the streets; the one proposed here will be inconvenient, it is said, to the traffic going between the station and the Bank, and that the one by St. Swithin's-lane will be inconvenient to those coming from Blackfriars' Bridge towards the Bank, since it will be circuitous, and will bring them into close contiguity with the railway traffic. You are asked which you prefer, and you say that you consider that the smaller number will be those that use the street between Blackfriars' Bridge and Cannon-street, and the larger number those that come by railway?—That is just the view I take of it.

1239. *Mr. Tite.*] Do you recollect the opening of the Southwark Bridge?—I do not.

1240. The traffic along Cannon-street and over Southwark Bridge is very considerable, is it not?—Yes.

1241. And this inconvenience at Walbrook, which we all feel to be so great, and the inconvenience at St. Swithin's-lane, which is always stopped up, and at Nicholas-lane, which is frequently stopped up, has been an existing fact for something like 20 years, has it not?—Yes.

1242. And yet the Corporation of London have made no attempt whatever to improve that communication?—No.

1243. The Corporation of London have been content with increasing the large streets east and west, and have spent their money in those improvements except those in connexion with London Bridge, rather than widening these ways?—It is so, but the necessity of widening those, takes a completely different phase the moment that that station in Cannon-street is made; then you add immeasurably to the necessity of doing it.

1244. Now, do you think it reasonable that the rate-payers should be called upon to make a street, because you happen to put a railway station in a very inconvenient place?—I did not say inconvenient; I think that it would be one of the most convenient places that could have been selected; the convenience to the public will be immense there, you give such facilities to the public coming to the City. Having done that, I think the convenience which they gain would justify such an expenditure.

1245. This is only one railway out of a great many?—Clearly.

1246. Do you think that the Corporation of London ought to go about and see where these things ought to be done, and do them rather than that they should spend the rate-payers' money in improvements much more wanted in other parts of the City?—I do not offer a difference of opinion to your's, but I

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come to this conclusion, that when that station is open, there will be nothing more wanted than a communication from that station to the Bank.

1247. You were asked a question about the cross traffic down Prince's-street and this supposed Moorgate-street terminus; but that line is the Metropolitan Line, is it not?—It is the Metropolitan Line.

1248. That has a junction with Ludgate-hill?—Yes.

1249. To any one going, it is one of the elements of the Act which passed, showing that those who were going to Dover and into Kent, would be able to cross the City without leaving a train at all?—Those going to Dover, would go by the London, Chatham, and Dover.

1250. And to Kent or to Brighton?—I do not know whether they would to Brighton; there is a large extent of district supplied by the South Eastern Railway; suppose any passenger wanted to go to a place on the South Eastern not met by the London, Chatham, and Dover, a passenger then would not be able to go by it.

1251. A passenger from Charing Cross would go by the natural line?—Yes.

1252. Without interfering with this at all?—Yes.

1253. My impression is, that your expectations of this great traffic are not well founded, except the traffic coming directly from Dover; no man can give a correct opinion upon that; we understand from Mr. Hawkshaw that there is to be a large area from the Strand where cabs and coaches are to stand; I think he spoke of two or three hundred feet?—My recollection of that at the time was, that it was 100 feet deep; I think they have determined upon increasing that.

1254. A man at Charing Cross is to turn off, crossing the omnibuses, or round the footways to go into a station which must go endways on; he would have to take his ticket; he would have to walk two or three hundred feet down to the end of that station, and then to get into a carriage, and then to go the actual amount of time occupied, and turn back and walk in a similar way, and go to Cannon-street; do you not think that a man would take an omnibus and walk, rather than that?—I do not know. I think that the railway will draw not only large numbers even to the City side of the station, but that it will take a large number of those who now go by steamers.

1255. You recollect also in my suggestion that a gentleman is put down in Cannon-street and wants to go to the Bank, and supposing the street which you are asking the Corporation of London, or the Metropolitan Board of Works to make, he has to find his way through those streets with some terror before he gets to the Bank; but you still think that the traffic from Charing Cross of these numbers of passengers will take place?—I do think so. I think that the numbers will be enormous that will pass, having the opportunity of going in the short space of five or ten minutes.

[The Witness was directed to withdraw.

Benjamin Scott, Esq., called in; and Examined by Mr. *T. Chambers*, as follows:

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1256. YOU are Chamberlain of London?—I am.

1257. You have been connected with the Corporation of London, I believe, for a great many years?—More than 31 years.

1258. Before I ask you some questions specially official, I will ask you, have you been, during all that time, familiar with the trade and business of London; about the centre of it, especially?—It has been my habit, for more than 30 years, to pass through the heart of the City with cash and money securities.

1259. What have you found to be the state of things opposite the Mansion House; the end of the Poultry?—There is no question about it. The pressure of traffic, both foot passenger and carriage traffic, is greater at and about the Mansion House than, perhaps, any other point of the metropolis; and persons with anything in their pockets studiously avoid approaching the Mansion House, and would go any distance round rather than encounter that traffic.

1260. Now, do you know where the new Finsbury station is to be at the top of Moorgate-street?—I understand that it is to be in Moorgate-street, to the north of the Bank of England.

1261. That

1261. That station is the station of a railway in communication with the northern railways, is it not?—It is an extension of the Metropolitan Railroad, which is connected with the Great Western and the Great Northern railroads.

1262. Do you know, also, where the station is to be in Cannon-street?—Yes.

1263. Now, suppose that anything like a cab traffic from one station to the other must come down Prince's-street, taking the proposed line of street, would it have to cross the traffic of the Poultry at right angles; both lines of traffic; not at right angles, but directly across?—It must cross the traffic of Mansion House-street and the Poultry at some angle.

1264. Now, what is your opinion as to the practicability of having any traffic of any importance crossing in that direction; additional traffic?—I am very much afraid that the introduction of that cross railway traffic, which, no doubt, will be very considerable, will prove very unfavourable; I may say very unfortunate, for the traffic of the City of London.

1265. Instead of supposing that it will go in that direction, look at Prince's-street; it is in a line with King William-street; supposing the traffic were to cross and keep on the east side, more towards the Bank and the Exchange, could it get more easily round in the direction of St. Swithin's-lane without interfering so much with the traffic?—I am of opinion, and have been so ever since this plan was first projected; I have given evidence before two Committees to this effect; it is not an opinion arrived at to-day. It would be better to divert the end of that street from any point rather than the point at which it now terminates immediately opposite the Mansion House. I think that that is the worst point to which it could be directed in London. But if the street could be deflected or continued in a straight line so as to terminate south of the Mansion House, the traffic could be very much more easily distributed.

1266. Now, I will pass from that point and take you to another; you have been for many years connected with the Corporation of the City of London, and you have become familiar with their proceedings as persons charged with the improvements of the City of London?—Yes, the accounts have all been kept in my department.

1267. And from your reading Parliamentary Reports, and the Reports of the Corporation, you know their proceedings in relation to improvements for the last hundred years?—From the building of Blackfriars' Bridge, in 1760.

1268. There have been the London Bridge Approaches, Cannon-street, and so on?—Yes.

1269. Now, has it been the experience of the Corporation that those improvements have been effected within the limits of the estimates formed?—I do not recollect any instance in which the estimates have been exceeded, unless Parliament has extended the improvements which were first authorised to be made out of the estimated sum.

1270. So that that was not so much an excess of estimate?—A variation or extension of plan.

1271. Have you known any instances in which there has been a balance in hand?—There have been several instances in connexion with the London Bridge Approaches in which the Corporation went for further extension of improvements without any further taxation. That was more particularly the case in the formation of Moorgate-street. After the completion of the Moorgate-street improvements, there were sufficient funds in hand to make Gresham-street and the Ladlane improvement.

1272. Now, during the time that you have been speaking of from the building of Blackfriars' Bridge, have you known any instance in which any other body has been intrusted with improvements within the City of London, except the Corporation?—There is no instance of the kind within a hundred years.

1273. Is this the first time that a proposal has been made to give the improvements within the limits of the City to anybody outside?—This is the first time.

1274. Now, although no other persons have been entrusted with the improvements within the City during that period, has the Corporation limited its action entirely to the City in its improvements, or are there many examples of its having carried out improvements outside?—There are many instances beyond their own jurisdiction. There was a case of the kind westward of Temple Bar, when Picket-street and the streets surrounding St. Clement Danes church in the

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Strand, were formed. There was another instance—the improvements from the Town Hall in Southwark to the south foot of London Bridge; and more recently the Clerkenwell improvement was entrusted to the Corporation to complete, after the failure of the Clerkenwell Improvement Commissions.

1275. Those were Commissions empowered by Act of Parliament for the purpose of effecting those improvements?—Yes; the Commission became bankrupt, and assets less than three pounds were handed over to the Corporation.

1276. Now be good enough to tell the Committee what did the City spend in completing that improvement?—Rather more than 300,000 *l.* have been expended upon it. It has, however, been extended since that period considerably.

1277. Now we are very near another improvement which the City made, Westminster Sessions House?—They did not build the Sessions House at Westminster; there was a vote out of the coal-fund for building the Sessions House.

1278. Clerkenwell?—Clerkenwell Sessions House was built in the same way.

1279. And you say that these improvements are out of funds entrusted to the Corporation?—Out of a similar fund to that which is now proposed to be placed in the hands of the Metropolitan Board of Works for the purpose of effecting the proposed street.

1280. Hitherto the employment of that fund, for improvements within the City and outside, has been by the Corporation?—Yes; with the exception of a period when they were administered by the Government Board, of which the right honourable Chairman is the head.

1281. When was that?—About 13 years ago.

1282. A portion of that fund, the 8 *d.* and 1 *d.* duties, have been administered by Her Majesty's Government?—By the Imperial Government.

1283. Now, you know the area of the coal tax?—It is now the same as the area of the Metropolitan police.

1284. You know it?—Yes, I do.

1285. Do you know the limits of the area over which the Metropolitan Board of Works exercises jurisdiction?—Yes; I have seen the map of that area.

1286. Are the two areas coterminous?—They are not.

1287. The area from which the coal tax is levied is much larger than the area over which the Metropolitan Board have jurisdiction?—Yes.

1288. So that a large portion of the district from which the tax is levied is unrepresented at the Metropolitan Board?—It is so.

1289. One more question upon this subject of representation. So far as the Corporation of London are concerned, do the members of it live over the whole surface of the Metropolis?—Over the whole surface of the Metropolis, and even as far as Brighton.

1290. Enfield on the one side, Highgate on another, and Hornsey on another; all round?—Yes.

1291. So that they are inhabitants of the whole district, more or less, over which the tax is levied?—Yes; and the Livery living within seven miles are entitled to vote.

1292. Now, with regard to the Corporation as a machinery for effecting improvements, what plan has the Corporation uniformly adopted with reference to forming an executive body for carrying out these improvements?—These improvements have always been carried out by a committee consisting of about 40 or 45 members.

1293. Called the Improvement Committee?—Yes; comprising a certain proportion of the aldermen, and a certain number of common councilmen selected from the different wards of the City.

1294. The Corporation of London have the assistance of the architect, and those in his office, and of the comptroller and solicitor?—The whole of the officers for the purpose of improvements.

1295. Looking, practically, at the working of that machinery, have you found that it has succeeded in working well?—I do not think it possible to select any machinery that would work better; there are a sufficient number of members on the committee to appoint sub and special committees for the dividing of the details, all of which sub-committees are accountable to the grand committee; it has been found that the number is exceedingly convenient, neither too large nor too small, and that there has been a sufficient number of gentlemen to undertake the work, and to carry it on with due rapidity of execution.

1296. No improvements in the City can be made without the purchase of very valuable property?—That is evident.

1297. The property in the City is very minutely sub-divided among various proprietors, is it not?—Yes, there will be as many as a dozen different interests or more in one house to deal with.

1298. Now, looking at the machinery of the Corporation for arranging these things, have you found them particularly successful in arranging with the parties?—It is evident that it has worked very successfully; I attribute that to the fact of there being a numerous committee spread over the whole City, and comprising men of different trades and professions, so that it is hardly possible to bring any questions before the committee, but some one or more persons practically acquainted with the trade, are sitting upon the committee to check exorbitant claims.

1299. Now, are not the majority of cases settled without any reference to a jury?—The great majority; I should think that not one case in fifty goes before a jury.

1300. Now, in purchasing a property, you would have the freeholder and the leaseholder, and the occupier, in most cases?—Yes; and the good will of the business.

1301. I believe that the freeholder and the leaseholder's case is comparatively simple, but the case of the others is sometimes very complicated?—Often very intricate, and very difficult indeed.

1302. Is it in reference, particularly, to that most difficult class of cases that the business habits of these gentlemen is of the utmost importance?—Yes; I do not think it possible to find any better tribunal, or better class of men to deal with those particular interests.

1303. Is it also true that the most serious claims in point of amount come from the occupiers in particular cases?—I think that the largest amount would be claimed by occupiers; certainly the largest amount is not awarded to occupiers, they are generally speculative and exorbitant claims.

1304. There was a claim the other day, where the Corporation had to go before a jury, of 6,954 *l.*, and the jury gave 972 *l.*—Yes, that was the case a week ago.

1305. Now, speaking generally, with respect to the actual experience of the Corporation, as those entrusted with carrying out the improvements of the City, and as to the machinery for effecting them, are you of opinion that they may be safely entrusted with the improvement which is now proposed?—I have no hesitation whatever in saying so.

1306. Now, is that machinery in working order, ready to take up any matter?—It is so; the Corporation are just now engaged in clearing the ground for the large market at Smithfield, and that neighbourhood which they have undertaken to construct.

1307. They are now engaged in settling for the purchases?—Yes.

1308. And that will be a market for the use of the whole metropolis?—For the use of the whole metropolis.

1309. They are also preparing to carry out the direction of the new Blackfriars' Bridge?—Yes.

1310. So that that would bring them into communication with the lower part of this?—Yes.

1311. Now, taking the part south of Cannon-street, are you of opinion that the Corporation of London is prepared, as regards finance, to enter immediately upon such a work as that?—The Corporation of London, in Common Council, came to a resolution, which was communicated to Her Majesty's Board of Works, that they would undertake the street in connexion with the embankment, provided they had facilities for doing so out of the 4*d.* coal duty, which they claim as their own.

1312. They are willing to charge that?—Yes, with the burden of this improvement; at the same time there is a very strong objection against the upper part of that street, but if Parliament insisted upon the making of that street in connexion with the embankment, they did resolve that they would undertake it out of that duty which they claim as their own, and have enjoyed as their own for so many years.

1313. You say that there is a very strong objection on the part of the Corporation to the part north of Cannon-street; is there any objection to the part

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south of Cannon-street?—Not only have I heard no objection ever made in the Corporation to that part of the improvement, but I have always understood that it is most highly approved as an improvement.

1314. Well laid out?—That it stands first in point of necessity; a street from the centre of Cannon-street to Blackfriars' Bridge.

1315. It is nearly identical with the scheme which Mr. Bunning laid before the Royal Commission?—Yes, it is. I think I may state, in reference to that question, that the efforts of the Corporation for the last 20 years at least have been directed to forming two independent lines of street east and west. All their improvements, and all their suggested improvements, have had reference to forming a line of street entirely independent of Cheapside and the Poultry. Their objection to the upper part, or eastern part, of the proposed street is, that it throws the traffic of Cannon-street, which is, in truth, the traffic of Ludgate-hill and Fleet-street, back again upon the traffic of the Poultry and Cheapside, so far frustrating the object with which they expended half a million of money in Cannon-street.

1316. Are you aware that any objection has ever been made to the mode in which the City have effected the improvements to which we have been referring?—I am fully acquainted with all the inquiries which have taken place in the last century in reference to those matters, and I am not aware of any instances of complaint being sustained against the Corporation management of their improvements.

1317. You are aware that there is to be a subway under this new street, in conformity with the modern practice?—Yes.

1318. And you are aware that underneath that subway there is to be a sewer?—So I am informed.

1319. Now, when the new street is made, it will be handed over to the Commissioners of Sewers of the City of London; the new street, the surface of it?—I have understood so.

1320. Supposing that the new street is to be handed over to them, and the sewers underneath are also put under their jurisdiction, in your opinion would it lead to some conflict of jurisdiction and authority that there should be a subway between those two under the control of another authority?—I think it must be obvious that there must be an inconvenient conflict of jurisdiction.

1321. Now the soil of the streets in the City belongs to the Commissioners of Sewers?—It does.

1322. And the sewers belong to it; there would be the surface and the bottom belonging to them, and something intermediate would belong to some other body?—Yes.

Cross-Examined by Mr. *Phinn*.

1323. Now, is this a point of honour and dignity with the City, or what, that they want to construct this improvement instead of the Metropolitan Board of Works; if it is to be done, does it very much matter who it is to be done by?—I am expressing my own opinion.

1324. But I ask you, is it a matter of honour and dignity that they claim to do this, or what is it?—I think that the Corporation feel that their honour would be affected if it were removed from their hands.

1325. Is the other view, that they could do it better than the Metropolitan Board of Works?—I think that they have more experience, unquestionably, than the Metropolitan Board of Works.

1326. But let us come to plain words, is it that they can do it better?—I believe that they would.

1327. When you say that, are you speaking your own belief, or are you speaking the belief of the Corporation of London?—I am expressing my own opinion, that the experience which they have had for a century would qualify them to do that better, which, under other circumstances, the Metropolitan Board of Works would be as well able to accomplish themselves. I believe also, that being on the spot, and locally acquainted with all the circumstances of the trades carried on, they would be able to effect it cheaper than a foreign body coming into their jurisdiction.

1328. Do you not send three Members to the Metropolitan Board of Works?—We do.

1329. Do

1329. Do you not select, if there is any selection in so august a body; do you not select three business-like men for the purpose of representing the City?—Probably that is the case.

1330. And they would take their experience, probably, as far west as the Metropolitan Board of Works?—Three gentlemen would not bring the same amount of experience to bear upon it as five-and-forty.

1331. Now, you have spoken of the City having hitherto had improvements confided to them. Have they made those improvements generally out of their own special fund, or have they made them out of funds granted by Parliament in aid of those funds?—They have made improvements in both ways.

1332. But generally out of their own funds?—To the extent of something like 2,000,000 *l.* in the last hundred years, out of their own funds, and to the extent of about 4,000,000 *l.* of money dealing with Parliamentary funds.

1333. Do you treat this 4 *d.* as your fund, or as a Parliamentary fund?—It partakes of both characters in some respects, because Parliament has varied the form of the toll which the Corporation receive; it is their own property varied by Parliament.

1334. But it expires in 1872, unless renewed?—No, it does not expire.

1335. As I understood you, the offer of the City was to construct this improvement out of the 4 *d.* rate?—The offer of the City was communicated in writing to the Right Honourable Gentleman who is chairman of this Committee, and the letter can be put in.

1336. Then I think it would be better, because it can then appear more formally upon the proceedings?—It can be produced, and I will read it.

The *Chairman* stated, that it was the opinion of the Committee, if the letter to which the Witness referred was put in, the subsequent letters referring to the same subject, should also be put in.

1337. Mr. *Phinn.*] The 4 *d.* rate in its present form expires in the year 1872?—In its present form.

1338. Then what form would it assume?—It would assume the form of a toll taken upon the chaldron measure, instead of upon the ton as it is now paid.

1339. Have you calculated whether that 4 *d.* would be sufficient to effect this, without aid from Parliament otherwise?—I have.

1340. How have you made the calculation that the City out of that 4 *d.* could defray the expense which we take 9 *d.* to defray?—Because it would be necessary to charge the 4 *d.* for a longer period than you would propose to charge the 9 *d.*

1341. How long would it take; have you made a calculation; will you tell us?—Speaking without figures before me, I think two periods of 10 years; about 20 years.

1342. Up to 1892?—Yes.

1343. To raise what sum?—To raise a sum sufficient to make that street, viz., 600,000 *l.*

1344. The same sum as we propose?—Yes.

1345. Then you do not impugn our estimate?—I am not impugning the estimate.

1346. Then let us take it the line, laid out as far as the intersection of Cannon-street, meets the approval of the City?—The line from Blackfriars' Bridge to the intersection of Cannon-street, meets the general approval of the City.

1347. The estimate meets the approval of the City authorities?—I am not aware of that. I have not impugned it in any way.

1348. If the Metropolitan Board have furnished a proper line and a proper estimate, in what is the City to improve upon their line and thorough estimate, or can they do it better?—I did not state that the City could improve upon the line, or upon the estimate, but I stated that I thought the Corporation could be wisely entrusted with the construction of a street within their own jurisdiction, when they are on the spot and thoroughly acquainted with all the circumstances of trade and traffic.

1349. If the Corporation are not to gain on an improved line of street or on an improved estimate, how are they to gain by the proposal of transfer?—The public would gain 500,000 *l.* or 600,000 *l.*, which would be found by the Corporation, and which sum could be expended upon some other portion of the embankment or improvements within the Metropolis. The wine duty fund and the coal duty fund would be released to that extent if the Corporation undertook it.

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1350. Supposing that Parliament conceded 4 *d.* to the City, is there no other improvement to which that 4 *d.* could be practically and usefully applied?—That is a matter which Parliament and the Corporation would determine.

1351. Have you found that the Poultry is a terrible obstruction by narrowing Cheapside at that point? It is a most formidable obstruction, is it not?—Yes.

1352. Have the City ever contemplated or applied to Parliament to enlarge it?—The expense of widening the Poultry has been so formidable, that we have never seen our way to the funds which were to effect that improvement as it should be effected.

1353. That has been a standing nuisance during your experience of 30 years?—It has been a growing nuisance, and has been very much aggravated of late years.

1354. Has any formal proposal ever been made by the City to remove it?—The Corporation have decided after very mature consideration, and taking the opinion of their architects from time to time, that it would be better to relieve it by cutting a new street; there are considerable difficulties in widening the Poultry, beyond financial difficulties. It is at the opening of the Poultry that the widening must take place. There is an expensive church on one side, and the Mansion House on the other.

1355. Now, you have spoken of the great difficulties in the Poultry, and that this street would increase it, do not a great number of persons come from the west and come up Ludgate Hill along Cheapside to the Poultry now?—They do.

1356. This would not be increased traffic brought by this street as far as the West End is concerned; but substituted traffic?—I think that there will be increased traffic and substituted traffic, and the cross traffic thrown at the most difficult point of the City.

1357. You do not suppose that a man who could come along from Westminster, or any part of the City, or westward, would, as he does now, come up the Strand, Fleet-street, and Ludgate-hill into the Poultry. You would suppose that he would come up that street end (*pointing to the Model*)?—A large portion.

1358. You must not look upon it all as additional traffic brought to this street?—I am not regarding it all as additional traffic, but I very much fear that, in making a new street, you will undo in Cheapside and the Poultry what you are doing in the south, in effecting that communication

1359. There is another improvement; Holborn-hill; you have never dealt with that?—That has been dealt with by the Corporation; Skinner-street and Snow-hill were improved by them.

1360. There is a very pressing evil at Skinner-street, is there not?—Yes; there was a proposal made to Her Majesty's Board of Works to remedy that difficulty at Holborn-hill; but subsequently, it was thought advisable to make an order that this street should be first constructed.

1361. The Corporation are very quick in their operations, and go to work very rapidly when they have got a thing in their mind?—I believe that there has been no unnecessary delay in anything.

1362. They have had this projected street before them for two years. We hear that Mr. Allen was only called in on Tuesday last for the purpose of proposing a substituted street?—Yes.

1363. Has any substitution for our street ever been discussed before the Court of Common Council or the Court of Aldermen?—I should mention that the Parliamentary officer has been suddenly incapacitated, and it is known to gentlemen that the City architect has also been incapacitated by press of business. That has introduced hurry and confusion into the Corporation's proceedings.

1364. Admitting all that, which we are sorry for, has this proposal by Mr. Allen, in any shape or form, come before any aggregate body of the Corporation; either Common Council, Aldermen, or Committee?—I believe that it has been submitted to a committee, which is instructing the solicitor at this time.

1365. That was last Tuesday?—Very recently.

1366. Now, Mr. Allen, in suggesting this plan, as far as you know, has neither the sanction of the Common Council, the Aldermen, or any committee of the City for City improvements?—I am not aware whether it has been approved by the committee instructing the solicitor, but it has not been approved certainly by the Court of Common Council.

1367. Now,

1367. Now, you say that you have always carried on your operations within the estimates; and also, with regard to the valuations, that you have been successful in that respect. Have you at all turned your mind to what the Metropolitan Board of Works have done with regard to claims upon them and claims established against them?—No, I am not aware of that.

1368. You have never seen the Parliamentary Return?—No, I have not.

Re-Examined by Mr. *T. Chambers.*

1369. Now, you have been asked whether it is not very recently that Mr. Allen has had his attention called to this subject. The objection that the City make is this, they wish that the upper part should be suspended altogether?—That the portion of the street, about which there is a great difference of opinion at present, as connected with the railroad, there may be altered circumstances, arising from the formation of the two railroad termini. Their proposal is, that it should be postponed another Session, the Corporation undertaking at once to undertake the street from Cannon-street to Blackfriars' Bridge.

1370. Am I to understand you to say that this postponement would involve no delay in the execution of the work?—No, because it would be impossible for any body to take the whole of the street in hand at once. It must be completed in sections, and it would obviously be commenced at the southern point. The traffic of the City would be most materially impeded if the pulling down were carried throughout the whole length of that street at once. Nor could the whole of the money be raised, I think, by any Board until some portion of the land could be realised.

1371. You have been asked whether public advantage would arise from the Corporation doing this instead of the Metropolitan Board of Works; are they equally well adapted to do it well and economically?—The local information possessed by the Corporation and the constitution of their committee, in my opinion, would give them advantages over any other Board, however admirably its affairs may be managed.

1372. In your opinion, is it unadvisable that the local authority should be displaced after having for a hundred years done all these things?—I think it most undesirable, and will be most expensive to the public.

1373. With reference to Holborn-hill, there has been a scheme, but do you not know that that subject might desirably stand over till you see what it is that the railways propose?—I am hardly competent to give opinions upon an engineering point; but it would be very desirable that we should know clearly what the Metropolitan Railroad and the London, Chatham, and Dover Railroad, and a company who are about to form a junction between the London, Chatham, and Dover, and the Metropolitan, propose to do, and what Parliament will entrust them to do, before that improvement is decided upon.

1374. Mr. *Crawford.*] Are the Committee to understand that this scheme proposed by the Metropolitan Board of Works is part of a plan long ago suggested by the Corporation, which they have always been willing to undertake, and which they are now willing to undertake?—They have always contemplated the extension of some portion of Cannon-street to Blackfriars' Bridge, and there is evidence upon the map that that was the case. They made a set-off in the direction of this very street, called New Earl street, which has been completed for the last seven or eight years.

1375. The idea is no new idea at all, then?—No; the City architect has for many years contemplated such a street whenever the funds could be obtained for carrying it out.

1376. With regard to the letter of the 26th of February from the Right Honourable Gentleman, the Chairman of this Committee, to the Remembrancer, was any specific time stated in that letter within which an answer should be sent?—If I had the letters, I could tell you.

1377. The letter being dated on Thursday, and received by the Remembrancer on that day, seeing that there was a Sunday intervening, there was not much time for the City authorities to take the matter into their deliberate consideration, and to give a final answer upon that subject?—I cannot speak from personal knowledge, because the matter was in the hands of the City Remembrancer, who is now on leave of absence; but I believe the facts were, that he consulted

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the committees to whom this matter was intrusted, or the chairmen of those committees, and that it was thought desirable to lay the matter before the Court of Common Council; and when it was so laid before them, they came to a resolution that they would undertake to make the street out of the 4*d.* coal duty if it were extended sufficiently to enable them to do so.

1378. No time was lost by the Corporation in considering the letter from the Board of Works, and in coming to a conclusion upon it?—I am not aware that there was any unnecessary delay, or any delay which could be avoided. They were very busy, I know, and the Remembrancer was very far from well.

1379. *Chairman.*] Will you inform the Committee what are the annual proceeds of the 4*d.* coal duty?—It is producing now about 65,000*l.* a year nett.

1380. The street which is provided for in this Bill has been estimated at an amount of 998,000*l.* gross for the purchase of property, and 51,000*l.* for the works; making a total of about 1,000,000*l.* Will you, as a great financier, explain to us how it would be possible for the City to make a street, of that cost, immediately out of loans raised on the security of the 4*d.* duty, which only gives a nett of 65,000*l.* a-year?—The Corporation would have undoubtedly to advance a large sum, in the first place; probably to borrow a large sum in the first place. It is in the belief that they would have ready money sufficient; that they have borrowing powers sufficient; that they would undertake the street upon the understanding that they would be ultimately re-couped; but without that understanding I think that they could certainly not undertake the street.

1381. It could not be possible for them to borrow the money for the purpose upon that security?—It would be difficult to borrow the money upon that security without they had collateral security of their own estates to offer; nor do I think that the Metropolitan Board of Works will find it very easy to raise it without some collateral security.

1382. As I have great doubts about the possibility of finding funds to make this work, if it were entrusted to them, allow me to ask you to give the Committee some notion of what these funds are, whence they are derived, which would be brought in, in the first place, as a loan to meet the expenses, or as a collateral security, in the case of borrowing the money from the Bank of England?—They have in hand the money, about 350,000*l.*, which they borrowed of the Bank of England in 1857; I mean that money which has been employed in various improvements, the Clerkenwell and New Cannon-street improvements, and is now being released; a large portion of that is in their hands, they would have therefore a sum to begin with.

1383. I presume that some other funds would be required in addition to that sum of 350,000*l.*?—I have no doubt that they would have to raise moneys upon the credit of their own estates and the coal duty combined.

1384. In order to that financial operation, I understood you to say that it would be necessary to pass the 4*d.* coal duty for twenty years from 1872, for that purpose?—I believe the proposition of the corporation is, that they undertake to make the street out of the 4*d.* coal duty; therefore, the legislation required would be to charge that street upon the 4*d.* duty. If the coal duties increase it would be discharged before twenty years; if there should not be that increase it might be a little beyond the twenty years. The Corporation have merely said this: if the coal duty as it now stands, and which we claim as our own in perpetuity, is charged with that street, the Corporation will find the money to make it.

1385. The Bill now before the House of Commons has, as one of its clauses, that the extension of the 4*d.* duty is to be spent, in the first instance, in making the improvements at Holborn-hill; would it be possible that Holborn-hill should be made out of any funds of the Corporation if you diverted the 4*d.* duty from Holborn-hill to spend it upon the proposed street under the Bill?—I have been told by a gentleman who is well acquainted with engineering questions, that the Holborn-hill improvement might be effected at a very much cheaper rate than that proposed by the City architect; I think it was stated by Mr. Marrable, the late architect of the Board of Works, that a viaduct could be thrown over Holborn-hill and Skinner-street, which would remove the declivity there and so provide for cross traffic, traffic east and west over the viaduct, and north and south under it, at an expense of something under 100,000*l.*; that would very much reduce the estimated cost of the improvement in reference to Holborn-hill.

1386. Did

1386. Did that estimate of 100,000 *l.* include compensation probably required by the houses whose view would be obscured by such a viaduct?—I am not able to answer that question; it is only a matter of hearsay.

1387. Mr. Bunning's estimate for the expense of raising the ground at the bottom of the valley, between Holborn-hill and Skinner-street, amounted to about 300,000 *l.*?—About 300,000 *l.* nett.

1388. Supposing that Mr. Bunning were correct in his estimate, the adoption by the Committee of the proposal of the City would necessarily involve the abandonment of the raising of Holborn-hill?—I do not think that the Corporation would be able to effect this extensive improvement and the Holborn-hill improvement out of their own funds. I think that Mr. Bunning's plan could not be carried out under those circumstances. Mr. Bunning's plan contemplated the raising bodily several acres of ground. They would have to resort, no doubt, to a very much cheaper way of getting over the difficulty.

1389. Supposing that all the available funds that the Corporation have were to be spent upon this proposed street, would they not be deprived of the opportunity and power of making a proper approach to the new station near Dowgate?—I do not think that they would have funds to do both.

1390. But supposing that none of their funds are called upon for this street, do you not think it their natural duty to make some improvement in the approaches to the station at Dowgate?—I think they would be disposed; I know they would be, if any continuation of the duty of 4 *d.* took place, they would apply it to the most pressing and urgent improvements required within the City. The City, being the most ancient part of the metropolis, constructed with narrow streets, there is the most urgent demand that those avenues should be widened.

1391. Now, supposing that within the period of two years that station at Dowgate-hill is built, and that there should come a very large amount of traffic, as being the traffic to the terminus of the South Eastern Railway, would it not be a most pressing necessity to the City that there should be a proper access from the north for carriages coming to the station?—No doubt a most pressing necessity. I cannot pledge myself as to what the Corporation will do, or what improvement they may consider occupies the first claim upon them.

1392. Now, you said that you thought it very undesirable that the north and south traffic, passing from the Dowgate Station to the Moorgate-street Station should come in contact with the traffic passing east and west. Do you not think that that objection would be better met by the new street that is to widen St. Swithin's-lane, than by allowing the traffic north and south to pass through this new street, and to come near the Poultry?—I think it would be a very decided improvement upon the scheme to introduce that traffic to the south of the Mansion House, and into some part of King William-street.

1393. In any way you would think it very undesirable that the north and south traffic should come in collision with the east and west traffic?—Most undesirable.

1394. There cannot be a doubt that it would be better to have the two streets spoken of rather than to have only one, the two being the proposed street upon that plan, and the widening of St. Swithin's-lane?—I have so strong an objection to a street which cuts across the Poultry traffic, that I could wish that that street should never be formed.

1395. Do you think it of any advantage to bring all the traffic coming from Blackfriars' Bridge to Cannon-street by the station at Dowgate, and to throw this into the street by St. Swithin's-lane, which you have said would be fully occupied by the traffic going between Moorgate-street and the Dowgate Station?—I think that the introduction of the traffic in front of the Mansion House will be mischievous, and rather hindering the traffic of the City than aiding it. I would rather see it introdoced anywhere else.

1396. Now, you stated that the object of the City has been, for a long time, to divide the east and west traffic into two distinct lines. Can you say why the City have failed in that, although they made Cannon-street about three times as wide as the Poultry, and why Cannon-street does not attain the object of diverting the traffic from Cheapside and the Poultry?—The reason that they stopped short of making the perfect improvement was this, that when they completed Cannon-street they exhausted their funds. A proposition has since been made to Parliament to place the fund in another Board.

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1397. Is it not the fact that it is impossible to divert the traffic from the Bank and the Mansion House, and that you cannot get it to go along Cannon-street to King William-street?—There has been a great indisposition on the part of public carriages to make use of it.

1398. Supposing that the new street between Cannon-street and the Poultry were to be omitted, would there be any hope that the traffic now going to the Bank could be induced to go along Cannon-street instead of the Poultry?—Some of the traffic will proceed westward along the new street; but on the other hand the western streets will bring traffic to that point, and throw it across the Poultry traffic.

1399. The new street would come into competition with Ludgate-hill, but not in any way in competition with the Poultry; therefore, no carriage that now desires to go between Cheapside and the Poultry would find itself accommodated by the new streets?—Considerable relief will be afforded east and west by the new street. I believe that the traffic of the City will increase and expand in proportion to the facilities opened to it.

1400. Will you explain in what way any carriage wanting to go to the Bank, would be benefited by the new street, if you omitted that portion of it which does go to the Bank?—I think that a very great mistake is made in supposing that the Bank and the Mansion House are the principal points of attraction for carriages. The number of persons who frequent the Bank of England and the Mansion House are perfectly insignificant compared with those who are now thrown upon our streets by the railway companies. I apprehend that all legislation upon this point must have more reference to the railway termini, and to their traffic than hitherto. The number of persons who receive their dividend and who frequent the Bank of England in carriages, are limited in number compared with the number of persons passing to and fro in omnibuses, cabs, and other conveyances from the railway termini.

1401. It appears to me that the omnibuses are of a different opinion from the one which you have expressed; will you be good enough to explain to me why it is that every omnibus will go to the Bank?—They go to that neighbourhood because the passenger traffic is very thick there, and they pick up their customers there. The line of Cheapside and the Poultry is full of shops, that is the reason why the omnibuses particularly frequent that line of traffic.

1402. Why will that state of things be altered by merely making a street from Cannon-street West to Blackfriars?—I speak more with reference to the railway traffic than to the general improvements of the metropolis. That comes over London Bridge, and is thrown to a certain extent on the Mansion House and the Bank, in its endeavour to reach the Poultry.

1403. If the line passed as you propose, the only alternative you suggest would be Ludgate-hill; will you say why anybody who now goes through the block at the Poultry, would then cease to adopt that route?—I think that they would avoid that, and seek the southern branch of the street where it leaves Cannon-street.

1404. Mr. *Ayrton*.] Do you think there would be a greater concentration of the traffic at the Mansion House, from this fact, that if there is a direct thoroughfare made to Westminster Bridge, that all that traffic that now goes along the southern bank of the river, and comes up Queen-street over London Bridge to different parts of the City, will all be concentrated in one stream, ending at the Mansion House?—That is the principal objection to the new street, having its terminus at an angle, throwing the traffic across the traffic of the Poultry and Cheapside.

1405. Are you aware that a great deal of the traffic approaches the City from Westminster Bridge, comes over two or three bridges, and diffuses itself?—Yes.

1406. And that would be all concentrated as into one stream at the Mansion House?—Yes, the line of street on the Plan, deflected, or rather continued, in a straight line south of the Mansion House, would not be open to that objection.

1407. Do you think that any change of street is likely to alter the use of treating that centre as the great place for omnibuses to set down and take up?—Unless there is some legislation upon the subject, that will continue.

1408. Do you think that any relief would be given to that number of omnibuses that we see always circling about that open space, if omnibuses coming from Prince's-street, Threadneedle-street, and Cornhill, could pass down to the new railway

railway station as a terminus, just as the omnibuses at present pass along to the London Bridge Station as a terminus?—There would be an immense relief afforded by such.

1409. Do you not think that that would afford more relief than any other?—Yes; the problem is to find an independent exit for that stream of traffic from the west, so as to conduct it with the least difficulty into Bishopsgate-street to the north-east, and into Aldgate and Whitechapel to the east.

1410. And to accomplish that, it ought to go to the east of the Mansion House?—Yes.

1411. If all that eastern traffic were brought in connexion with this Dowgate-street railway, would not that afford the greatest relief to Cheapside and the Poultry?—No doubt it would afford very considerable relief.

1412. Are the Committee to understand that it is the general opinion of the persons connected with the Corporation, and the Mansion House, and the City administration, that that oblique street from New Earl-street to the Bank is objectionable to the local traffic?—I think that that is the prevailing feeling amongst the members of the Corporation; it was a street suggested originally by a gentleman at that time at the Mansion House, Mr. Cubitt, a gentleman very much respected in the Corporation and elsewhere, and I think that the expression of feeling against the street would have been stronger but from personal respect to himself.

1413. Are we to understand that when the City made New Earl-street they had this subject under consideration, but that they did not consider it expedient to make it?—They considered it expedient to make a street from Cannon-street to Blackfriars' Bridge, but they had not the funds.

1414. As a matter of street improvement, can you tell me whether they considered it desirable to make the piece from Cannon-street to the Mansion House?—No, they did not; and would not unless Parliament should decide on this occasion that it should be made.

1415. How long has the Clerkenwell improvement been in hand?—I cannot state from memory; but very many years.

1416. About 15 years, I think?—It was entrusted first to a body of commissioners who failed in carrying it out; the whole of the ground taken by the Corporation was held subject to the decision of Parliament, with reference to the Metropolitan Railroad.

1417. These were Commissioners disconnected with the City?—Yes.

1418. They made it over to the City?—Yes.

1419. Was that about 12 years ago?—I cannot state exactly.

1420. Was it 10 or 12 years ago?—Probably 10 years ago.

1421. And from that time the City have been gradually progressing with that improvement?—They cleared the ground at once and opened the street, but suspended sale of surplus ground on receiving notice from the Metropolitan and other railways that the ground would be wanted.

1422. But, apart from the railway, has there been a question mooted in the City as to the necessity of raising a viaduct at Holborn-hill, and displacing the levels of all the streets in the neighbourhood of that viaduct?—Such a plan has been in contemplation by the Corporation.

1423. And lately considered by them?—The City architect had a plan of that kind, which was approved by the Corporation.

1424. Is it their opinion that, if the thing is done at all, it ought to be done upon that large scheme?—I think that that is not the present opinion of the Corporation. Of course, a public body are, to a great extent, in the hands of their professional advisers. I think that there are those who advise the Corporation now that the things might be done more cheaply than it was proposed to be done by Mr. Bunning.

1425. Would it be nothing but the mere viaduct, without any consequential alterations?—Yes; that there should be no cross traffic on the same level, but that the cross traffic should be carried underneath the viaduct. There will be streets leading on to the viaduct. Mr. Marrable, the architect of the Board, has estimated it at something like 100,000 *l.*

1426. In addition to the present expenditure?—No; the whole expenditure for the viaduct.

1427. Will there not be a very large expenditure still in the purchase of property to make that viaduct, and all its connexions?—I cannot state that; my impression is that Mr. Marrable considered the whole cost.

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1428. Not including the property?—Including the property, I believe.

1429. What has been the loss to the Corporation of interest of money consequent upon the delay that has taken place in completing these improvements at Clerkenwell?—I do not think that, ultimately, there will be any loss to the public or to the Corporation, because the ground has risen in value since the Metropolitan Railway was opened; and I think that, ultimately, the cost of the delay will be met in that way by the rise in the value of the ground.

1430. Apart from the indemnity that may result from that, there would be a heavy charge against the fund?—Yes, delay is loss of interest.

1431. In this case, it would be a very large sum?—Very considerable.

1432. Do you consider that it is a matter of very great public importance that the question of Holborn-hill should be disposed of as soon as possible, and the Finsbury improvement completed?—No doubt it is a very urgent improvement.

1433. And having regard to other parts of the metropolis, does not that improvement afford a greater amount of convenience than any other, getting rid of the rise in Holborn-hill?—It would be very difficult to say which is the more urgent improvement; they are both very urgent improvements, very urgent indeed.

1434. Mr. *Tite.*] In regard to the Holborn viaduct, is Mr. Bunning's plan in the room, or in existence; what is his estimate?—Nett, 300,000 *l.*

1435. Gross?—I have not heard the gross figure, probably half a million.

1436. Now, is great anxiety also felt, and strong necessity stated for widening Holborn Bars just at the entrance to Gray's Inn Lane?—There is no doubt that that is a very important improvement.

1437. Is that equally important with altering or getting over the difficulty of Holborn-hill?—I do not think that the two can be compared; I think that the improvement at Holborn-hill is more pressing than that at Holborn-bars.

1438. Gentlemen representing that district, think that the widening at Holborn-bars is more important?—I think that the Holborn-hill improvement is a very necessary improvement; I think that that must be obvious; the acclivity is so great that it is unsafe for the horses.

1439. Knowing London very well, you must feel, as we all do, that it is very essential to widen Holborn-bars as well as improve Holborn-hill if it can be done?—Yes.

1440. That has been the desire for some time?—Yes.

1441. Particularly where the fire occurred?—I do not know that.

1442. Now, you spoke of the excess of the estimates as compared with the expenditure in respect to the general improvements which closed with the widening and improvement of what is now called Gresham-street, Ladd-lane, and that part; you said (and it is quite true, no doubt), that the excess of the estimate over the cost enabled Mr. Jones, who presided over that committee, to complete that within the estimate?—Yes.

1443. Did that arise from two circumstances, that the committee presided over by that gentleman always made a large allowance in the estimates?—It has been the habit of the Corporation always to consider every estimate; they have added 14 per cent. to what is called surveyors' estimates, and which they always found necessary for rates and taxes where the property is pulled down; law and Parliamentary charges, and interest on money occasionally borrowed to facilitate the pushing forward the improvement.

1444. They were accustomed to add 14 per cent. to meet these contingencies, some of which was not wanted?—Which was invariably expended. 14 per cent. has been always on an average expended beyond the amount given for the purchase and re-sale of property. The surplus arose from the property being purchased at a cheaper rate, or sold at a higher rate than the estimate.

1445. These improvements were always paid for by a coal duty of a shilling or eighteen pence, the estimates, or the produce of those duties?—No; because the capital fund was always kept separate from the improvement fund. I have stated as a fact that they have so framed their estimates, or managed their works, that there has been no occasion to go to Parliament for an additional outlay, unless there was some extension of an improvement.

1446. Then you would recommend us to add 14 per cent. to this estimate of Mr. Pownall and Mr. Hunt?—Unquestionably.

1447. Now, you spoke of the character of the election of Common Council-

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men, and you said that they were spread all over the country?—I spoke of the constitution of the Improvement Committee.

1448. Is not their qualification derived from the ward that elects them?—I stated that it was a Ward Committee; a representative or two sent from each ward of the City, where a large portion of them carry on business, although they may sleep in the Metropolitan district.

1449. You meant to infer, that they were so scattered that they rather represented London proper?—No. What I said was, that the Committee was composed of gentlemen carrying on trades within the City, who represent all kinds of trades. I said that they were a body possessed of great experience.

1450. I understood the question to be this; with respect to the Corporation, you said, for instance, that one lived at Brighton?—There was a question asked me about the residence of the members of the Corporation—the Livery. I stated that they slept, a very large proportion of them, out of the City.

1451. With regard to the machinery, you have an architect?—Yes.

1452. A comptroller?—Yes.

1453. You have everybody. Do you know that the Metropolitan Board of Works has precisely the same arrangements?—Yes.

1454. Do you know that for seven years thay have adopted precisely the same system in all things?—Yes.

1455. Calling the people before them with regard to good will?—Yes.

1456. That Metropolitan Board of Works is chosen from a very large district, and very much in the same way as the Corporation?—Not representing the district in which the improvement takes place, but the districts outlying.

1457. What amount have the City Commissioners of Sewers expended in the City, taking the widening of Chancery-lane; that has not been done out of the City proper?—I think that that was effected by the Commissioners of Sewers.

1458. Out of the Sewers' rate?—The Consolidated rate. It includes a portion of the rate levied for improvements.

1459. The widening of Newgate-street, that was done by the Commissioners of Sewers?—Partly by the Commissioners of Sewers, and partly by the Corporation.

1460. And partly by the Metropolitan Board?—Yes.

1461. Are you aware that after the resolution which has been read, referring us to the Common Council on a certain Thursday, a deputation waited upon the Chief Commissioner;—Yes.

1462. Were you present?—I was.

1463. Did that deputation then state to the Chief Commissioner any objection to the character of the street in its entirety, or did they suggest to him the desirableness of stopping it at one point and turning it into another?—No, I do not recollect that. The interview and the conversation with Mr. Cowper was entirely with reference to the means of raising the funds, and the parties by whom the improvement should be carried out.

1464. Nothing was said about it?—No.

1465. At that time had the matter been discussed?—It had been discussed these two years.

1466. Was it discussed in the committee that went up to the Chief Commissioner?—Yes.

1467. At that time?—Previously to that interview.

1468. Subsequently to the resolution of the Court of Common Council?—Yes.

1469. Take the given Thursday subsequently to that resolution, did that committee meet and discuss the question of continuing that street or not in the interval?—Subsequently to that, the Improvement Committee did discuss the question.

1470. In the interval between the Thursday of the resolution passing and the deputation to the Chief Commissioner, was there any discussion upon the subject: was the question raised in that interval?—I should not like, without reference to the minutes, to charge my memory.

1471. Are you aware that this line of street is supposed to be, and is suggested, with a view to make communication between Westminster and the City, and it starts, as you are aware, from Westminster Bridge, would its usefulness be impaired if you stopped at Cannon-street, and you were obliged to stop and got

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as far as St. Swithin's-lane and then turned by a very crooked line up to the Bank?—I have already stated my opinion very distinctly that its usefulness is greatly impaired by its impinging upon the end of the Poultry. That is the only objection that I have to the street. If it could be carried in a more direct line south of the Mansion House, I believe that that objection would be to a very great extent obviated.

1472. I do not see any course that could be suggested as regards that than the course suggested by Mr. Allen, which would lead you by a very crowded line towards St. Swithin's-lane?—As regards architecture, I think that this street would have the finest appearance; but taking into account the requirements of the traffic, I think that a more circuitous street, or a street drawn to the south of the Mansion House, would be preferable.

1473. Mr. *Clay*.] You said that there would be obvious inconvenience in the subway being under one authority and the sewers under another?—Yes.

1474. Will you be good enough to state what that inconvenience would be?—Upon all questions of opening the ground, or entering the sewers or making excavations from the houses, there would be a conflict of jurisdiction which I think does not exist anywhere else in the metropolis.

1475. Are you aware that the great advantage, or the great supposed advantage of this subway, is to obviate the necessity of so frequently breaking up the surface of the streets?—It is.

1476. This disadvantage which you apprehend, whether great or small, exists surely at present, because the gas companies, water companies, and also the telegraph companies now have authority to break up the surface of the streets for the purpose of laying or repairing their pipes?—But they apply in all proceedings of that kind to the local authorities of the City; they will now do that, and also go to the Metropolitan Board of Works upon all questions of opening the ground, excavating, and so on.

1477. If the subway were under the Metropolitan Board of Works, there would be no second authority to consult; the Metropolitan Board of Works would have authority over the subway, and open it whenever anything was required to be done to the pipes?—I suppose that with a subway there would be less occasion to open the soil of the streets, and to take up the pavement than there is at present; but when anything of the kind happened, there would obviously be a conflict of jurisdiction, and two bodies might be brought into collision on a question of that kind. In all parts of the metropolis, the streets and the sewers are under the same jurisdiction, the only exception is in the case of the Metropolitan Board of Works; the main intercepting sewers are placed under their control.

1478. The streets and sewers are under the same jurisdiction; but the only disturbance is caused by the water and gas companies; they have Parliamentary powers of their own?—Practically, I cannot give evidence of much value upon that point; it does appear to me that it would be very convenient that the pavement, the soil, and all the subway should be under one authority, and that to have it under two authorities may lead to a conflict of jurisdiction at some time or other; supposing that an explosion took place, which has been hinted at by some of the witnesses, there would at once be a conflict of authorities, which it would be very difficult to deal with.

1479. *Chairman*.] You stated that you apprehended great inconvenience from the concentration of traffic at the east end of the Poultry; that concentration could only be inconvenient if there were not sufficiency of space to accommodate the traffic; there would be a sufficient space on the south side of the Poultry, because there would be 120 feet across; do you see any very great difficulty in widening the northern side of the Poultry, by the removal of the space between Prince's-street and the Church?—I am quite sure that it would be necessary if this street is brought to the corner of the Poultry, that those houses should be thrown back.

1480. Are those houses of a very valuable character?—I presume they are.

1481. Mr. *Crawford*.] One is being rebuilt now?—Yes.

1482. Mr. *Clay*.] It would be necessary to take the church, would it not?—I think that that could be avoided.

1483. St. Mildred's Church?—That would tend to modify the difficulty, not remove the difficulty that I anticipate.

1484. Sir *J. B. East*.] The heavy traffic coming from London Bridge Station; what

what route do they take to get westward; do they go up Cannon-street or Thames-street, or what; I mean very heavy waggons?—I apprehend that they select their route very much according to the steepness of the streets, but at present that sort of traffic is doubtless distributed through Cheapside and the Poultry, and through Cannon-street; it would be a great relief to that traffic to bring it down the new street to the south.

1485. I do not see why that should go above Cannon-street?—A great deal of it would be going to the Great Western up Holborn, Oxford-street, and that direction.

1486. I have observed when I have been in Cannon-street how very little traffic there was there?—I presume that fashion and custom have a good deal to do with these things.

1487. But fashion would not affect heavy waggons?—Some of the larger carriers are north of Cheapside, and they have to reach those warehouses.

1488. Mr. *Crawford.*] Is not another station about to be constructed at the end of Old Broad-street?—My impression is, that that has been thrown out. I think that the whole of the question will want the most serious consideration with reference to the new elements that have arisen since this line was laid down.

1489. There are three railway stations being formed within the City proper?—Within the radius of a quarter of a mile.

1490. Mr. *T. Chambers.*] Will you now be good enough to hand in the correspondence which has been adverted to?—Yes.

[*The Witness handed in the following Papers:*]

Office of Works, 15th August, 1861.

Sir,—I have to acknowledge the receipt of your letter of the 10th instant, informing me of the communication you have made to the Board over which you preside, with respect to the views I had the honour of expressing to you at our interview. Of course these views are subject to the modification when the time comes for preparation of the Bill and for consulting other members of the Government as to its provisions; but I think it right now to make a few observations, with a view of preventing misunderstanding as to an expression which occurs in your letter. You speak of your Board being anxious to defend what they conceive to be their rights, and as I am one of the last men who would wish to infringe, even inadvertently, any of their rights, I am anxious to ascertain what those rights can be. In considering whether the Metropolitan Board of Works possess any right to construct an embankment of the Thames out of the funds accruing from the coal duties, I am met by the following circumstances: 1. The Metropolitan Board has no right or authority, except that which it derives from the Act of 1855 and subsequent Acts, and the Act which empowered it to raise rates gave it no authority over the coal and wine duties. 2. Those duties are levied not by them, but by the Corporation of London. 3. These duties are not received by them, but by the Corporation, and Her Majesty's Treasury. 4. The area over which the coal duties are levied is larger than that which is represented by the Metropolitan Board. 5. The application of those duties to metropolitan improvements have been entrusted to the Corporation and to my predecessors in office. 6. The foreshore and bed of the Thames are under the jurisdiction of the Board of Conservancy. As therefore your Board has now no power over the coal and wine duties, and no power over the foreshore of the Thames, except in regard to their especial business, the main drainage, I cannot understand how the introduction of a Bill to confer upon them such powers, could be treated as an aggression upon their rights. I do not see any force in the argument that because such a work would have to be authorised in a provincial town by a local act promoted by local commissioners, or by the Corporation, a similar course should be followed in respect to the metropolis. In every civilised country the metropolis receives aid, protection, and co-operation from the national government, which is not extended to other towns; and I am sure that Londoners cannot wish that their town should in this respect cease to be treated as a metropolis, and be reduced to the level of a provincial town. I am on principle an advocate for extending more fully and satisfactorily in the metropolis the action of municipal representative institutions; and the Bill which I propose to introduce will have a tendency to promote that object, and I am quite sure that it will not in any respect infringe a right now possessed by the Metropolitan Board of Works.

I am, &c.
(signed) *W. Cowper.*

J. Thwaites, Esq.

B. Scott, Esq.

24 April 1863.

Office of Works, 26 February 1863.

Sir,—I have to thank you for the alterations you suggested in the draft of the London Coal and Wine Duties Continuance Bill, and I trust that the two Bills I have introduced for making the street between Blackfriars and the Mansion House are satisfactory to those who represent the Corporation of London. In order to guard against the possibility of a misunderstanding, I may, perhaps, be allowed to remind you that I have several times expressed my wish that the Corporation would undertake to make this street out of funds at their disposal, and that I have always been told that it is impossible for them to do so, as they have not funds sufficient for the purpose. It was on this conviction that I prepared the bills of last year, and of the present session, for enabling the Metropolitan Board to make the street out of the 9*d.* coal duty, which has been confided by Parliament to them. If, however, any means have been discovered by which the street could be made out of the proceeds of the 4*d.* coal duty, or out of the property of the Corporation, so that the proceeds of the 9*d.* duty might be applied by the Metropolitan Board to improvements in other parts of the metropolis, it is very important that I should be informed of it before Monday next, as the second reading of these bills has been fixed for that day.

I am, &c.
(signed) *W. Cowper.*

To the City Remembrancer.

Guildhall, E.C., 12 March 1863.

Sir,—I am directed by the Court of Common Council to inform you that your letter to the City Remembrancer, of the 26th ultimo, was laid before the Court this day; and I am further instructed to communicate to you, that after due consideration they have accepted the proposal contained in your letter, and agreed to the following resolution:—"That Mr. Cowper be informed that the Corporation is willing to construct the new street from Blackfriars' Bridge to the Mansion House, and to appropriate the 4*d.* coal duty to that purpose in the first instance, and that they have referred the matter to the coal and corn and finance and improvement committees, with directions to confer with you upon the subject, for the purpose of carrying out the wish expressed by you that the Corporation of London would undertake to make the street between Blackfriars' Bridge and the Mansion House out of funds at their disposal.

I am, &c.
(signed) *F. Woodthorpe.*

The Right Honourable W. F. Cowper, M.P.

Office of Works, &c., S.W.,
21 March 1863.

Sir,—I am directed by the First Commissioner of Her Majesty's Works to acknowledge the receipt of your letter of the 12th instant, communicating a resolution which has been passed by the Court of Common Council, to inform me that the Corporation is willing to construct the new street from Blackfriars' Bridge to the Mansion House, and to appropriate the 4*d.* coal duty to that purpose in the first instance, and I am to observe that the terms of that resolution are not sufficiently explicit to enable the First Commissioner to come to a conclusion on the alteration proposed. The cost of the new street has been estimated at the net amount of 600,000*l.*, and will probably require a first outlay of a million. The raising of Holborn valley will require the expenditure of more than 300,000*l.*, and the proceeds of the 4*d.* coal duty to be continued for ten years by the Bill recently introduced will not supply one-third of the required amount. The First Commissioner has had the honour of receiving a deputation from the Improvement and Coal and Corn and Finance Committees but he has not been put in possession of precise information as to the source from which the funds are to be derived for the execution of both these great works, in the event of their being constructed by the Corporation, and he would venture to suggest that if clauses should be proposed by the Corporation, for the consideration of the Select Committee to which the Thames Embankment (North Side) Bill has been referred, full particulars should be stated as to the funds from which these works are defrayed.

I am, &c.
(signed) *Alfred Austin*,
Secretary.

To. F. Woodthorpe, Esq.

Guildhall, 25 March 1863.

Sir,—I am directed by the deputation of the Coal and Corn and Finance, and the Improvement Committees, to acknowledge the receipt of your letter of the 21st instant. I am desired to state that the form which the discussion took at the interview with you, throwing the burthen of the cost of the construction of the works, the new street to the Mansion House, and the raising of Holborn valley, upon the Corporation funds was not one that had been contemplated by the Court of Common Council, as the deputation were authorised

authorised only by the resolution of the Court to accept the proposal contained in your former letter, of the 25th February last. This view of the question is now under the consideration of the Committee, who will report to the Court of Common Council upon the whole subject.

B. Scott, Esq.
24 April 1863.

I am, &c.
(signed) *F. Woodthorpe.*

The Right Honourable W. F. Cowper, M.P.

Mr. *Russell Gurney* stated that this was the case for the Corporation of London.

Counsel and parties were ordered to withdraw.

The Committee deliberated.

After a short time Counsel and parties were again called in.

Mr. *Calvert* was heard to address the Committee on the Petition of the Commissioner of Sewers of the City of London against the Bill.

William Haywood, Esq., called in, and Examined by Mr. *Calvert*, as follows:

W. Haywood, Esq.

1491. YOU are Engineer and Surveyor to the Commissioners of Sewers of the City of London?—I am.

1492. I believe that you have had that appointment for many years?—Seventeen years.

1493. Have you charge of the roads and sewers of the City?—I have.

1494. Now, I believe that you were associated with Mr. Bazalgette upon the subject of the interception of the main drainage?—I went with Mr. Bazalgette some years ago into the scheme for the interception of the sewage for the northern districts of the metropolis.

1495. I believe that before that you had been in communication with Mr. Frank Foster?—Yes, when he was engineer of the then Metropolitan Commissioners of Sewers; I was associated with him upon the same subject.

1496. It has been your duty to enter very fully upon all these subjects?—Yes, necessarily.

1497. Now, have you looked at the proposed Bill?—I have.

1498. Be good enough to take it in your hands; you are acquainted with Clause 5, enabling the Metropolitan Board of Works to make and retain the subway?—I am.

1499. Now, do you think that that Clause is advisable, or do you think that it is objectionable?—I think that it is a very objectionable Clause.

1500. Will you state the reasons why you think so?—I think that it will introduce conflict between the Commissioners of Sewers and the Metropolitan Board of Works, and that the whole administration of the subway at a future day can be more advantageously dealt with on behalf of the public by the Commission.

1501. Have you the Plan there of the different pipes?—I have.

1502. Will you produce it, if you please?—I will.

1503. And will you explain that Plan?—I will (*the Witness explained the Plan to the Committee*). The various telegraph companies have a right to execute works, but under the regulations of the Commission.

1504. Mr. *Tite.*] What notice?—That varies, according to the nature of the work, from three days to three months.

1505. Notice?—Yes; that is to enable the Commissioners of Sewers to make all those collateral arrangements with regard to other works in progress, so that the public traffic shall not be interfered with.

1506. Mr. *Calvert.*] Now be good enough to tell the Committee where the gas pipes come from?—I may state with regard to the gas, no other gas companies, except those supplying the City, can enter this subway, because by the Metropolis Gas Act, all the companies now supplying the Metropolis, have districts assigned to them, and therefore that gas company which may at a future day lay its pipes up to the confines of the City in this subway; I mean that portion which will be beneath the embankment, a little west of the City Gas Works, cannot continue its pipes, because the Act of Parliament prevents them trespassing

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upon the district of another company. Therefore, without this point, the gas would be outside. The City Gas Company which supplies a large portion of the City, has its works actually in the City; and from the plan of the works, the pipes which may enter this subway, must come to the jurisdiction of the Commission, up one of these streets down Bridge-street.

1507. Mr. *Hope Scott.*] Why?—Because there is no other way of doing it; their distributory system is from these streets.

1508. Why not through William-street?—Or through William-street, I said. Then the pipes will come down in this direction, if they think fit to run their pipes along that portion of the subway which is to be beneath the foreshore, which I confess I think no Gas Company will willingly do.

1509. Mr. *Calvert.*] Will you state the reason why?—In the first place the consumption of gas along this line up to the City boundary, is likely to be very small, because there are no buildings of any description which will require much gas. There are only the Temple Gardens and one or two wharfs, and then come the works themselves. The other pipes will turn up in this direction, and when the City Gas Company gets very near to this point, its district also ceases, and its pipes cannot go any further.

1510. Mr. *Ayrton.*] I do not understand you to say that the City Gas Company cannot lay down a pipe from their works to the subway which is to be built in front of their works?—I stated that the construction of their works is such, that their distributory system begins about here; the route. That is the position of their retorts, and their other works and their gasometers requiring that; the most convenient process. At present that is the route of the distributory system of the City Gas Works.

1511. Mr. *Hope Scott.*] Will you point out how far the City Gas Works here extend?—They extend as far as here—(*pointing to the Plan*).

1512. I mean northward?—They extend to there—(*pointing to the Plan*).

1513. The yard?—The yard.

1514. Mr. *Calvert.*] According to law can the City Gas Company carry their pipes beyond Temple Bar?—It cannot carry the pipes west of the City boundary.

1515. Now, what is the name of the company that supplies the district immediately west of the City?—I think it is the Equitable, but I am not quite sure.

1516. Do you know that that company carry their pipes to the east of Temple Bar?—It cannot.

1517. Mr. *Clay.*] Nor any other company?—Nor any other gas company.

1518. Mr. *Calvert.*] So that there is a division between the gas supplies?—The City is a district in itself, and the company supplying the City cannot supply any place out of the City. With regard to the other gas company which supplies the City, it enters at the extreme end of the City and its line of pipes comes along Cornhill and then descends southward. The pipes of that company would enter the subway here. As the law stands, the jurisdiction of the Commission terminating there, the jurisdiction of the Metropolitan Board of Works begins.

1519. Lord *John Manners.*] As the Bill now stands?—Yes.

1520. Mr. *Calvert.*] These gas companies would have their pipes, subject to the jurisdiction of the Commissioners, from their works to the entrance of the subway, and would then be subject to the jurisdiction of the Board, in respect to passing through the subway?—It is so.

1521. Would that be an advantageous arrangement?—It seems to me that it would be but re-enacting a system which it was the express object of the formation of the Board of Works to break. The object, as I have always understood, of the formation of that Board, was to consolidate, to give a consolidation of all the powers into the hands of local boards. The City at that time was taken, and was quoted as a model; it was argued that the City having the sewers, and until the formation of the Board of Works, the City was the sole district which had the sewers, the paving, lighting, cleansing, sanatory works, and every thing which had reference to the highways, and the soil of the highways. There is another point which I should like to refer to; assuming the gas-pipes to be running through this subway, if the companies wished to lay a branch up St. Andrew's-hill, they must first apply to the Metropolitan Board of Works, for power to break through the subway, and then to the Commissioners of Sewers, for power to extend it further, and the same remarks apply to every street, or every collateral street,

from

from which it may be expedient, at a future day, to lay on branches to the main lying within those subways.

1522. The gas lamps along this street would be furnished with gas from the pipe going along the subway?—Ultimately, undoubtedly.

1523. Therefore, there must be communication between the gas pipe in the subway and the gas lamps in the street?—Clearly.

1524. The proposal is, that the commencement of the pipe which forms that communication shall be in the hands of the Metropolitan Board?—The pipe and the subway.

1525. The gas, when it arrives at the street side, would be under the jurisdiction of the Commissioners of Sewers?—I understand that that will be so.

1526. Now, will that be a convenient arrangement?—No; it is another phase of the same subject.

1527. Have you anything more to say with regard to the inconvenience arising to the gas?—Are you about to leave the subject?

1528. Of gas?—I have nothing more to say upon that subject.

1529. What are the water companies that furnish the City with water?—The water company that supplies the City is the New River Company.

1530. How far from the proposed street is the New River Company: how far are their works?—They have very extended works, but the work which mainly supplies the City is River Head, about two miles north of the City boundary.

1531. I presume that the water is sent by pipe, and subject to the jurisdiction of the Commissioners of Sewers?—Yes.

1532. The proposal is, that when these water pipes enter the subway, the jurisdiction would change, and that they would be subject to the jurisdiction of the Metropolitan Board of Works?—Yes, exactly the same rule applies.

1533. Now, I will ask you whether the report you made respecting the inconvenience concerning gas applies equally to the subject of water?—Yes; it applies in the same degree.

1534. Now, Mr. Bazalgette, in his evidence, talks about the laying of the pipes; inconvenience, he said, with regard to the laying; would that be necessary; the level of these pipes in the subway would, to a certain extent, be regulated by the line of the pipe adjoining?—If the mains lie near the surface, they must dip down to enter the subways.

1535. Would it be convenient that those pipes, being subject to the jurisdiction of the Commissioners outside the subway, should become subject to the jurisdiction of the Metropolitan Board of Works with reference to the level there carrying the water freely?—There is not much difficulty on that head; but all the water posts, the Metropolitan Board must ask permission of the Commission to open the streets, or the Commission must ask the Metropolitan Board permission to open the streets.

1536. I presume that the houses along the side of this street will be furnished with water out of the water-pipes going down the subway?—Ultimately, no doubt; as I understand the subway to have been constructed in Southwark, they have little tubes from the sides of the subways which run up to the houses, and through those tubes the pipes are introduced into the houses.

1537. The ground between the subway and the houses is under the jurisdiction of the Commissioners of Sewers?—Yes; if anything goes wrong with any of those pipes, the same remark applies; the Metropolitan Board must ask permission of the Commission to open the pavement; at present, the fact of the Metropolitan Board having a jurisdiction over main sewers is a matter of public inconvenience; as regards the surface of the highways, there is public inconvenience.

1538. Now, we have gone through the gas and the water, does the same remark apply to the telegraph wires; where do they come from?—Nearly the whole of the chief offices of the telegraphs of London are in a cluster round the Bank and Royal Exchange.

1539. The pipes, on their way from those offices, would be under the authority and jurisdiction of the Commissioners of Sewers?—Yes.

1540. And the authority would be changed if they got into the subway?—Just so.

1541. Now, with regard to holes and traps which are necessary for communicating between the outward air and the subway, those must be in the pavement?—Yes.

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1542. The pavement is subjected to the jurisdiction of the Commissioners of Sewers?—Yes.

1543. The top of the pipe between the subway and the pavement must be under the jurisdiction of the Commissioners, and the bottom under the jurisdiction of the Metropolitan Board of Works?—I do not know how that can be arranged at all; the paving will belong to the jurisdiction of the sewers, but the opening down will not.

1544. Mr. *Ayrton.*] The entrance to a coal cellar; has not that been an insuperable difficulty all over London when it is made?—The Commission can take it away if it is inconvenient to the public; they only grant them during pleasure so long as it does not inconvenience the public; the Commission always retains the power.

1545. Lord *John Manners.*] The Commissioners being the judges of the convenience or inconvenience?—Yes.

1546. Mr. *Calvert.*] Do you know where a pavement is under one jurisdiction and a rim round the hole under another, do you know anything of that kind in your experience?—No.

1547. It may be very inconvenient that such an arrangement is made?—Yes, it must create that inconvenience. This is specially felt in streets of large traffic.

1548. The top of this tube, which communicates for the purpose of air between the subway and the street, would be under the authority of the Commissioners of Sewers, and the bottom under the authority of the Metropolitan Board of Works?—As I read the Act, and as it has been interpreted to day.

1549. Now, there is another point. Supposing any serious accident were to occur in this subway, any explosion, I presume the pavement must admit of communications at every quarter of a mile?—They must make communications more frequently than that; I can imagine cases in which the pavement would have to be opened.

1550. With regard to the existing sewers which they required to be altered for the purpose of being carried into this common subway?—I can imagine that a sewer will have to be constructed over the whole line of the new street. That sewer must be below the subway, and a very large number of the sewers running north and south will be cut through by the works, and will have to be connected.

1551. Those sewers, where they are lateral, will be subject to the authority of the Commissioners?—Yes, the control of the Commissioners.

1552. Supposing they were subject to the Board of Works control, would they get into the subway?—They would, under the subway.

1553. Mr. *Hope Scott.*] The sewers will go into the main sewers?—I cannot understand that to be a main sewer altogether, but in the sewer. A main sewer and a sewer are two different things.

1554. Mr. *Calvert.*] Is there to be nothing in the nature of drainage in any pipe in this subway?—Yes; there will be a great many drains enter beneath the subway, not in the subway itself. I draw a distinction between a main sewer and a district sewer. There is a wide distinction between the two; it cannot be called a main sewer unless there is a resolution calling it so.

1555. Mr. *Ayrton.*] There is a machinery providing for all that?—There is a very extraordinary machinery providing for that.

1556. Mr. *Calvert.*] But when you get beyond Cannon-street, it is not far to the main sewer?—The sewer there I apprehend will remain under the hands of the Commissioners.

1557. Now, there is another point upon which I should like to have your opinion with regard to the widening of the streets at the mouths of the said streets; is that of importance?—The Commissioners of Sewers are of opinion that the opportunity should not be lost of widening all the streets which enter the proposed new street, but more especially it is desirable to alter and widen Bennett's-hill, Queen-street, and the Poultry, so far as the property may be removed. Bennett's-hill is a street leading down directly from St. Paul's, at this end being only wide enough for one carriage at a time; it has very little traffic in it. Queen-street was widened some time ago by the Corporation as far as Cannon street, at a very great cost. Above that, it is not above 24 feet wide. The Commissioners think it would be a most serious obstacle, simply

so far as it was pulled down, but especially with regard to the Poultry, that that should be widened also.

1558. Supposing the subway is handed over to the Commissioners, and any profit arises in the shape of rent, would the Commissioners hand it over, subject to the expenses, without taking advantage of it themselves?—I believe they would like it applied to the consolidated rate, if there was a revenue, so as to defray the expenses of maintaining the street.

1559. Mr. *Hope Scott.*] Have you seen the existing system of constructing a subway (*handing a Diagram to the Witness*)?—I have seen a diagram like this.

1560. Does not that provide for lateral excesses connecting the subway directly with the area of the houses?—Yes, I have previously said so.

1561. I think you said small apertures?—Yes.

1562. Do you know that those are large enough for a man to get through?—I do not. I understood that they were only six inches in diameter.

1563. If so, there would be a communication from the water-pipes and gas-pipes into the area of the houses?—If made large enough for that purpose; but that only touches the question of the supply to houses.

1564. Might not the supply for street purposes be brought up by the side of the houses?—No.

1565. Mr. *Ayrton.*] Have you seen the subways already erected?—I saw them. I have been through nearly the whole of the sewers in Paris.

1566. But in London?—While constructing, not since.

1567. Mr. *Hope Scott.*] Supposing that the question of the watering of the streets were to be dealt with otherwise, would there be any difficulty in giving the subway and its subterraneous connexions to the Metropolitan Board, and that the Commissioners should have jurisdiction over any opening into the streets?—I think that the only convenient way.

1568. Is there any difficulty in putting the Board of Works, with regard to opening in that case of the surface, in the same position as the Commissioners?—They may have occasion to open the surface.

1569. But would you be satisfied with that?—It is a very good instalment, but I should prefer very much the whole being given up to the natural conservators of the highways and the roads.

1570. Now, you spoke about unity of management; you say that that is the great principle?—Consolidating powers in the Local Board.

1571. You think that there is nothing in the unity of management of that and the sewer underneath it?—If the communications are made from the sewer to the subways of course it is desirable to have them under the control of the same body.

1572. Assuming that the Metropolitan Board of Works are going to make drains immediately under their subway, and that they are to retain the control of the sewers, is it not desirable that they should have the subway?—If there is connexion between the sewer and the subway it is desirable.

1573. There may be a connexion made at any moment with a pickaxe and spade?—There is no reason why it should be under the Metropolitan Board of Works, because if permission were given to the Commission at all times to enter, there would be no practical advantage in the Metropolitan Board of Works retaining the sewer.

1574. But if the sewer is to be maintained by the Metropolitan Board, it being the main sewer?—If so, and it is to be connected with the subway, it will be convenient so far, that the subway should be under the control of the Board.

1575. You have taken away all the gas-pipes, and also all the water-pipes?—My evidence must have been very much misunderstood. I assumed that the gas companies would lay their pipes through them, but that no gas-pipes belonging to companies outside the City could come in.

1576. You think that the City gas-pipes will come in?—I think so.

1577. And the water-pipes?—Yes.

1578. And the telegraph wires?—Yes.

1579. Those extend beyond the City?—In one direction.

1580. Now, of course the water-pipes and the gas-pipes already existing do most of them at some point enter the City at the jurisdiction of another part?—There

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is one large gas-pipe from the company which supplies a portion of the City which enters under another jurisdiction.

1581. Do any of the bridges within the City, that is, taking the north side, carry the pipes of gas and water companies?—Yes.

1582. Which?—I cannot tell you, but there is one, I think Southwark Bridge.

1583. That is a proprietary bridge?—A proprietary bridge.

1584. You have no jurisdiction over that?—No.

1585. Now, about the constitution of the Commissioners of Sewers, they are appointed by the Lord Mayor, Aldermen, and Commons in Common Council assembled?—Yes.

1586. They are the nominees of the Corporation?—Yes.

1587. So that we have the Corporation here appearing in its own name and through the Commissioners?—It is independent of the Corporation directly it is constituted; it raises funds for a special object.

1588. And with independent opinions?—Yes.

1589. The engineer and surveyor particularly, I believe?—No; that is two persons in one. That is myself, I am engineer and surveyor. That is a consolidation of powers.

1590. Now, you reported, I think, upon this proposed street?—I did.

1591. And did you conclude with this: "The formation of this street cannot fail to have a most beneficial effect upon the traffic of the City, and be of great convenience to the whole Metropolitan public; and as so much property is taken which now forms collateral streets it would be most desirable if those streets when rebuilt were widened?"—Yes.

1592. You adhere to that?—Yes.

1593. You agree with the whole?—In its entirety. I am of opinion that the main street is a most desirable public improvement, and that the opportunity should not be lost of widening the collateral streets, at the time that that street is made.

1594. How do you propose that that widening should be made?—The collateral streets?

1595. Yes?—That the Metropolitan Board of Works should do it; that they should make the street complete in all its parts.

1596. And even encroach upon the jurisdiction of the Commissioners of Sewers?—No; I beg pardon.

1597. When they have taken down the property you are to widen it?—No, I wish them to widen it.

1598. Have you the power to widen now?—Yes; the Commissioners of Sewers have the power. Those powers are going to be ceded to the Metropolitan Board by this Act.

1599. Do you agree with that?—That I give no opinion upon. As to the general principle, as to who is to have the control, I do not give an opinion upon that. I have an opinion.

1600. I did not ask your opinion?—I thought you did.

1601. Have you considered any of the suggested alternatives beyond Cannon-street?—I know nothing, except what I have heard in this room, with regard to the alternative streets, assuming that you are referring to that portion.

1602. Would you like any of those (*exhibiting a Plan*)?—You mean as an alternative from Cannon-street up to the Bank.

1603. Yes?—I do not, as far as I know.

Re-Examined by Mr. *Clerk*.

1604. Now, with reference to the widening of the streets, what you ask is that a space should be left when the houses have been pulled down, in order that the streets may be afterwards widened?—Bennett's-hill is 15 feet wide and only admits of one carriage. When they set out their new lines of building so far as they have vacant ground, that they shall set it out wide enough for two carriages.

1605. With regard to the gas company which has mains across Southwark Bridge, I said that a company had; I did not say a gas company. Whether water or gas, I do not know.

1606. Do

1606. Do you know that they are carried into the City?—I am not able to say that; I rather think they stop just outside the jurisdiction of the Commissioners.

1607. Does it appear to you that the best thing would be the subway and drain under it; that they should be under the control of the Commissioners?—Yes.

1608. And that that would best secure unity of management and the control of the streets?—Yes.

1609. Mr. *Ayrton.*] Have you seen any inconvenience result from the subway, as far as regards the Metropolitan Board of Works?—No; gas or water has gone through it. The new street in Southwark is only half finished.

1610. Mr. *Tite.*] Now, you have been Surveyor to the Commission for 17 years?—Yes.

1611. How much, during that time, has been spent by the Commission in public sewers?—I cannot say.

1612. One hundred thousand pounds?—More than that.

1613. All out of the rates?—I should think so. We are at our maximum rate now, and our funds are nearly exhausted.

[The Witness was ordered to withdraw.

Lanæ, 27° *die Aprilis*, 1863.

MEMBERS PRESENT:

Mr. Ayrton.	Sir James Buller East.
Mr. Clay.	Mr. E. Egerton.
Mr. Cowper.	Mr. Holland.
Mr. Crawford.	Lord John Manners.
Mr. William Cubitt.	Mr. Tite.

THE RIGHT HON. W. F. COWPER, IN THE CHAIR,

Mr. *Loch* stated that he appeared as Counsel on the Petition of Henry Norris, not against the Preamble, but upon Clauses.

William Haywood, Esq., called in; and further Examined as follows:

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1614. Mr. *Tite.*] THE concluding questions I put to you on Friday last were, "You have been Surveyor to the Commission for 17 years?" Your answer was, "Yes." "How much during that time has been spent by the Commission in public sewers" That means public improvements?—I understood you so.

1615. You said, that about 100,000 *l.* had been spent for improvements out of the rates; can you give any better answer to that question now?—No; but it is considerably more than 100,000 *l.*; of that I am quite confident.

1616. Now, then, the nature of those improvements is the widening of such a street as Chancery-lane, or the widening of Newgate-street, the rounding corners, and setting back houses, and improvements of the bottom of Lothbury, and improvements of that character?—All the improvements mentioned have been made by the City Commissioners of Sewers.

1617. Under your care?—Under my care.

1618. And under plans submitted by you?—Plans for the improvement of the streets submitted by me to the City Commissioners of Sewers.

1619. And adopted by them?—Yes; and negotiations for effecting the improvements ultimately carried out by me.

1620. Now, a report was read to you, showing that you concurred in the formation of this street as a whole?—Yes, that is so.

1621. And you still retain that opinion?—I do.

1622. Did you hear the evidence given, when it was suggested that it would be very inconvenient to have that street opened by the side of the Mansion House?—I did hear some of the evidence.

1623. Do you agree in opinion with that evidence?—I cannot say that I do.

1624. You do not?—No, I may say that I think there is some misconception on both sides with regard to this new street, and the effects of the traffic.

1625. Will

1625. Will you be good enough to explain that?—Without reference to the future increment of traffic, I think that the construction of this new street will neither add to nor diminish the number of people who either come to or go from the City. I think that it will simply have the effect of distributing or regulating the traffic. At present the Poultry, during the busiest hours, for the 12 hours, namely, from nine o'clock in the morning till eight o'clock in the evening, there are 11,000 vehicles passing along it.

1626. You know that as a fact?—I have the exact figures here. In the year 1862, in the 12 busiest hours mentioned, 10,336 vehicles passed along the Poultry.

1627. What month was it in?—It was in the month of June, and I can give the exact day, if it is desirable.

1628. Sir *J. B. East.*] Up and down?—Up and down.

1629. Mr. *Tite.*] On a given day in 1862?—Yes. In the month of June it was 10,336; and in the year 1850, in which year my observations of traffic taking commenced, it was 10,274. The 10,336 carriages which passed along the Poultry in both directions will, at a future day, or would at the present day, if the new street were constructed there, a portion of that would turn down the new street; of that there cannot be the shadow of a doubt; and the effect upon the Poultry would be this, that whereas there is a stream of carriages going from east to west, two streams following each other as quickly as they possibly can, a certain portion of them would turn down this street, and would leave a gap in the line, which would be immediately replaced by the hinder carriages at a greater velocity, and the consequence is, that the diminution in the number going along here must give an increased celerity to their movements, and I cannot see that it would cause any inconvenience whatever; on the contrary, that it must considerably relieve the Poultry, and, indeed, the whole of the lines of street between the Poultry and Temple Bar.

1630. That was in your mind when you reported in favour of the whole project, as a project?—That was in my mind. I find, also, in observations made for general purposes within these last few years, that not above one-half of the traffic along the Poultry is two horse or omnibus traffic; one-half is cab traffic. Following in a westerly direction, it would of course take the nearest route. Then, again, as this is a very convenient mode of access to pedestrians to Blackfriars' Bridge, and those going west, so that class of cabs picking them up may be expected to traverse it. I do not say that the streets can increase or diminish the number of passengers that come from the west or go to the City, in the slightest degree.

1631. Can you tell us the effect of opening Cannon-street West, upon any of the traffic?—I think that there is a great misapprehension about the value of Cannon-street. It has been of very great value in relieving the whole of the streets of the City running east and west. Since 1850 I had observations taken of the traffic in nearly all the leading streets of the City, a similar observation in the year 1857, and again in the year 1862. Nearly every one of those streets has had a very large increase of traffic, excepting Cheapside and the Poultry, which remain very nearly stationary. I therefore infer that there is a large amount of traffic which must have gone through the Poultry and Cheapside that now goes through Cannon-street. I have not the remotest doubt that that street has been an invaluable relief to the traffic of the Poultry and Cheapside.

1632. And it was prevented by the natural increase of traffic, and by the increase of the population from crowding, as it would have done, into Cheapside and the Poultry?—Yes; Temple Bar, in the year 1850, had 7,741 carriages through it: in the year 1862, it had 10,557. Ludgate-hill, in the year 1850, had 6,829, and in the year 1862 it had 9,532.

1633. Fifty per-cent. increase?—Very nearly. Cornhill, in the year 1850, had 4,916, and in the year 1857, 5,256. Newgate-street, in the year 1850, had 6,375, and in the year 1862, 9,111. London Bridge, in the year 1850, had 13,099, and in the year 1862, 19,698 vehicles of all descriptions passing both ways. I now come to the Poultry and Cheapside. Cheapside, in the year 1850, had 11,053, and in the year 1862, 11,720. The Poultry, in the year 1850, had 10,274, and in the year 1862, 10,336. Now, the traffic in all these streets varies according to the time of year, more or less, and, if it is a fine day, there is a different traffic from that which passes on wet days, but there is a substantial and

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a positive increase upon all these streets, excepting that of Cheapside and the Poultry; and, as we know positively that there is a traffic of 6,000 vehicles through Cannon-street in the six hours, so I infer that Cannon-street has relieved those two streets, and prevented the increase of traffic through.

1634. Now, in December the subject of this street was referred to the Improvement Committee of the Corporation; do you know that at all?—I know nothing whatever of the acts of the Improvement Committee of the Corporation.

1635. Do you know what Mr. Bunning's opinion was at that time upon the street as a whole; did he agree with your opinion, or not?—I do not think that I conferred with Mr. Bunning upon the matter; there was some conference, but I am quite unable to tell you, with anything like positiveness, what took place.

1636. You do not know of your own knowledge of the report of the Improvement Committee to the Court of Common Council, and what followed?—I do not know that there is one.

The *Chairman* stated that it was the opinion of the Committee that any reports of the Improvement Committee referring to the subject should be given in evidence.

1637. *Sir J. B. East.*] Now, with reference to the number of 6,000 vehicles, have you any means of stating what was the description of those carriages?—Yes; I shall be able to satisfy you upon that subject.

1638. Mr. *Tite.*] You can give the class of vehicles?—Yes, for the 12 hours. On the 11th of April 1860, the total of the traffic for 12 hours run thus; 74 omnibuses, 1,910 cabs.

1639. Mr. *E. Egerton.*] What street was this?—Cannon-street. On the 11th April 1860, between the hours of nine in the morning and eight in the evening, there passed through Cannon-street 74 omnibuses, 1,910 cabs, 2,921 waggons, 311 private vehicles, 22 equestrians, 402 barrows and trucks, making a total of 5,648.

1640. Mr. *Ayrton.*] When you say passed through Cannon-street, did you note them going in at one end and coming out at the other?—No; I should have said, passed through a particular spot where the observations were being taken.

1641. What point was that?—Not far from King William-street.

1642. Sir *J. B. East.*] Passing both ways?—Yes; an observer was stationed, and he counted the vehicles, but in nearly all streets, taking the average of the 12 hours, the vehicles passing in either direction, neirly balanced each other.

1643. Mr. *Ayrton.*] Therefore the more accurate expression is, passed along the end of Cannon-street, near King William-street?—Yes.

1644. Mr. *Tite.*] Have you a similar return—similar details of all the totals given?—No, I have not; I have of a great number of them.

1645. Mr. *Ayrton.*] Are you aware that the whole space between Cheapside and Upper Thames-street is devoted to the depositories of goods, store shops, warehouses?—Scarcely any shops.

1646. Chiefly depôts for goods, warehouses?—If I use the term warehouse, unless I give an explanation, it may not be understood. It is filled with warehousemen, that is, the portion nearest Cheapside, who, of course, have warehouses; but it is principally for Manchester goods, and goods sold to tradesmen in the lighter fabrics. As you get towards Thames-street the warehouses are more generally appropriated to what we understand by the term warehouses, heavy goods.

1647. A place like Travers', for instance, the wholesale grocers; do they dispatch goods from there?—They occupy St. Swithin's-lane.

1648. But do they receive and dispatch goods there?—A vast quantity.

1649. A great part of the traffic going into Cannon-street at King William-street might or might not be going to places like Travers' and other places for the delivery or the receipt of goods?—It is not at all probable, because, in the first place, it is quite clear from the tables to which I have referred that they do not pass through the Poultry and Cheapside, and Mr. Travers pretty well occupies the street in which he is situated himself; that is to say, he has such a large business that there is constant change of cart.

1650. You do not think that people go to that place through Cannon-street?—Many

—Many people do not go St. Swithin's-lane; a great many foot passengers do, not many carriages.

1651. Does he not get the goods through Cannon-street?—No; he unloads almost exclusively in St. Swithin's-lane.

1652. Carts?—Some portion of these carts come from the Docks, and go to Mr. Travers' premises; they go in, generally speaking, at the Cannon-street end, and out at the King William-street end.

1653. Mr. *Crawford.*] Are you quite sure of that?—No; I say that generally it is so.

1654. Have you any reason for saying that?—It is almost impossible in St. Swithin's-lane to turn round a heavily laden vehicle.

1655. Can an ordinary cart turn?—Only at one place. There is one small lay-by, which I think I constructed purposely.

1656. Do you not think that the construction of the terminal railway station suggests some very serious matters for consideration with respect to the traffic of the City, the Dowgate, the Moorgate-street, and the Old Broad-street?—I think that that will cause an alteration of the traffic in the immediate vicinity; but I do not think that it will particularly affect the general traffic of the City. I think that there will be a good deal of foot traffic; I do not think there will be much carriage traffic; there will be some, undoubtedly.

1657. Now, come to the traffic passing from the Dowgate station, and *vice versâ;* do you think that the passage from the new street, and down Dowgate, will be a convenient way to take it?—The most convenient way would be to come the straightest way, if it were wide enough to admit it, which it is not.

1658. Which do you call the straightest way?—I cannot say that I think there will be much inconvenience in anybody coming down Prince's-street, and if desiring to go to the Dowgate station, in their going down the new street as far as Cannon-street, then along Cannon-street to the station, and for this reason, that the difference between making that journey and going up Walbrook is but 177 yards; and if a man goes at the rate of three miles an hour he will perform the distance in two minutes; and if in a cab, at the rate of five miles an hour, in one and a quarter.

1659. Then, it is entirely a question of time; is it not a question, also, of practical convenience in travelling?—I say that the shortest and the straightest way is the best, provided that the shortest way is wide enough to admit of it.

1660. Mr. *Ayrton.*] What is the length of the new street from Cannon-street to the Poultry?—I have not taken that way as the shortest way; I should go along Budge-row, which is a collateral street, wide enough for two carrages in most parts, and there is little or no traffic in it.

1661. Will you show that?—Yes, there is Budge-row (*pointing to the Plan*); I have assumed that a person who was pressed and found Walbrook stopped up, we will say, would go along Budge-row, up in that direction (*pointing to the Plan*).

1662. Mr. *Crawford.*] Has it not been found desirable lately to improve the communications by cutting off some of the sharp angles at the corners of some of the streets?—Yes, that is almost exclusively done by the City Commissioners of Sewers.

1663. Then you will form an acute angle at the point of intersection of the new street in Cannon-street?—The whole value of cutting off those corners depends upon the width of the street. When you get two streets joining together, each of them only wide enough for one or two carriages and very small space for footway, and much traffic in them, then the taking off the corner is of course advantageous, because it enables the vehicles to turn easily round; but in a large wide street there is generally sufficient footway to enable the rounding to be effected without even taking off the corner.

1664. But that is not the case in Budge-row where it debouches into a narrow street?—It debouches into a street 70 feet wide. Budge-row at that spot (*pointing to the Plan*) is about 27 feet wide; it is not a very narrow street; it is not so narrow as many streets in the City unfortunately are.

1665. By that route how would passengers coming from the Broad-street station approach the Dowgate station?—I should think they would most likely come down Moorgate-street. They would have the alternative of coming down

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Bishopsgate street and Gracechurch-street, which is rather nearer in distance, but in which there is more traffic.

1666. Then the new street would have to carry the traffic of the two stations?—The station is in Liverpool-street; it is not really in Broad-street. It is at the extremity of Broad-street; but they have an opportunity, in a carriage, of coming down Broad-street, if they think proper. A person arriving at the station of the North London Railway would have the alternative of coming down Broad-street and Threadneedle-street, or Moorgate-street, or turning into Bishopsgate-street, and thence through Gracechurch-street, and along Cannon-street to the station.

1667. Gracechurch-street is a street which is very much thronged at all hours of the day, is it not?—Very much.

1668. With omnibuses from the southern parts of the metropolis?—Very much so.

1669. Mr. *Tite.*] You suggested a third route across Finsbury Circus?—That was the same as Moorgate-street.

1670. Mr. *Crawford.*] Moorgate-street would have to serve in that street the traffic from the North London station to the Dowgate station?—I should not think there would be much traffic going to the Dowgate station from the North London station.

1671. But whatever did come would have to pass by one of those streets?—It need not; for there are a large variety of minor alternatives. I have told you of three main lines, but there are various minor lines.

1672. Mr. *Ayrton.*] By which they can get to the Mansion House?—Yes; they can come along Broad-street, and thence along Throgmorton-street and Lothbury.

1673. Mr. *Crawford.*] But in Throgmorton-street there is only room in one part for one carriage at a time?—Yes; next to Bartholomew-lane, for the distance of a length and a half of this room.

1674. If I told you that having my business at the corner of Throgmorton-street, and coming there in a cab, I am frequently in the habit of waiting for a considerable time, you probably would be surprised?—I should be astonished if I were told that you had to wait a considerable time.

1675. Mr. *Ayrton.*] But all these routes bring you up Threadneedle-street and Prince's-street, as an access to the Mansion House, do they not?—They do.

1676. Mr. *Tite.*] Do you believe that a man finding himself there, would go down King William-street and Upper Cannon-street, and that he would do it more quickly?—I have not looked into the Plan further than I stated the other day.

1677. *Chairman.*] From your general observations of the traffic, do you think it desirable that this great thoroughfare, which is intended from the Bank to Westminster, should be brought near a railway station, or whether it would be desirable to keep it as distinct from the station as we can?—My opinion has always been that the terminus of a railway station should be contiguous to a main street, but not immediately in a main street. I do not think that I can illustrate my views better than by reference to the London and Birmingham Railway. There the traffic is turned into a street which has little traffic in it excepting that which is due to the station. It turns east and west, and north and south, and finds its way into the main thoroughfare without crowding all at once into one main thoroughfare.

1678. Is then the plan so proposed by the Bill, what you would think convenient, inasmuch as it carries the main thoroughfare east and west, at a moderate distance from the Dowgate station, but does not carry it in front of that station?—I can only repeat that which I have already said, namely, that I certainly do approve of the street in its entirety, and I do most earnestly hope that opportunities of improving collateral streets will not be lost sight of; and I think that as the street stands, especially at the junctions, both in an architectural point of view, and in a point of view dictated purely by considerations of traffic, that improvements undoubtedly can be made. In the first place, the true principle of joining all streets of large traffic together is by a circus, and not allowing the street traffic to run just where it likes across it, but putting an obelisk or a resting place, or a halting place in the centre of it. By that means the traffic always joins in an oblique line. It prevents the confusion which results when traffics

traffics meet at direct angles, even although that confusion is not so great when the thoroughfares are adequate; now, at the junction of Cannon-street West, I consider that that ought to be joined by a circus; I consider that to be a suitable place for a public monument or something of that sort, and I know that it amazingly conveniences the traffic; I think too with respect to the junction of Blackfriars' Bridge, that it will be a grievous mistake to join it on in that ugly, unsightly manner; I think that there there ought to be also a circus. If you will permit me, I will show you plans not expressly prepared for this Committee. (*The Witness produced some Plans and explained them to the Committee.*) In the first place, no street which goes out at an angle from a square, can, by any possibility, look well; it always must look one-sided and ugly; whereas, if it joins on to or goes out of a circle, it is never noticed. I think that that will be the proper way of joining on the new street, and, I believe, that that would greatly facilitate the traffic if it were constructed.

1679. Mr. *Tite.*] Have you adapted it to that plan?—Perfectly; I should prefer seeing it of more ample dimensions than that, but still that the same principle should be held.

1680. In an architectural point of view that plan is, no doubt, desirable?—And in a traffic point of view also.

1681. Now, you have done a good deal in checking and directing the traffic there by such means as you have suggested, by lamps and resting places?—Yes; those resting places answer two purposes; they direct the traffic; they, practically, keep the traffic going in certain directions to certain lines; they cause it to go a little slowly, and, therefore, enable the pedestrians to cross over with comfort.

1682. And less peril?—Less peril.

1683. *Chairman.*] Here is the deposited Plan. Do you consider it possible to apply your principle of a circus at the head of Blackfriars' Bridge according to that Plan as deposited within the limits of deviation?—As I see this Plan, it is not the deposited Plan. I fancy that there have been considerable alterations; certainly it will be perfectly practicable; I should say perfectly practicable within the scheduled area. The circus of Oxford-street and Regent-street is a familiar instance of what I mean; all they require is to make it perfectly convenient.

1684. Sir *J. B. East.*] What is the diameter of that?—Two hundred feet, as I have it here. I do not know that it will be exactly that, but something approaching it.

1685. Mr. *Tite.*] But enough?—Enough. I should desire 200 feet, but 180 might do. One would desire to see something done for the Metropolis before one dies.

1686. Lord *John Manners.*] Are you aware how the new street, as you propose it, at its entrance into Earl-street would affect the small lanes that lead from the Thames; would it have the effect of closing up all their mouths, or what?—The circus that I propose?

1687. Yes?—Oh, no. It would leave all those lanes, which by-the-bye are nearly all private, the whole of those up to Puddle Dock are not private ways, but accesses to properties; but the construction of a circus there would not interfere with those.

1688. My question rather referred to the mode in which the new street would find egress out of the circus?—No, there would be no difficulty in doing it at all; it would require a very large modification of that plan, but still it can be done in the limits of the scheduled area, and without interfering with private property not within the scheduled area.

1689. Mr. *Calvert.*] Now, you have something more to say, I believe, with regard to the subways?—For some years past the question of the propriety of the City Commissioners of Sewers constructing a subway along Cheapside and the Poultry has been talked about, and should they decide to do so there will be a still further conflict, inasmuch as the Commissioners of Sewers will have a subway and pipes in it, and the Metropolitan Board of Works will have a subway and pipes in it, joining at the Poultry.

1690. *Chairman.*] Will you be good enough to explain where this subway is that you speak of; under what street?—It has been contemplated to run it along Cheapside, up to the end of Cornhill. I cannot say that it has been positively formed; but it has been talked of.

1691. Mr. *Ayrton.*] If there were an escape of gas into the subway from the

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City Gas Works, and an explosion took place in consequence, the explosion would probably be at the Mansion House. That being the highest elevation, the gas would go to the Mansion House?—Only provided the constructors of the subway very ill constructed their subway.

1692. But the tendency of the gas would be in that direction?—No, because there would be proper ventilation left along the line, and the gas not having any corporate antipathy, would, I think, travel out of the first ventilating shaft, in preference to going up to the Mansion House.

1693. And if the water escaped, it would have a tendency to go down?—The water would have a tendency to go down to the nearest outlet it could find, when it would run into the nearest sewer.

1694. Mr. *Clay*.] Supposing that there is this double jurisdiction, the City Commissioners of Sewers having a subway in one place, and the Metropolitan Board of Works in another, what practical difficulty could arise from that?—There is the general difficulty of the double jurisdictions, which did exist to such a very large extent, before the present Metropolitan Local Management Act was passed, that of two or three bodies holding jurisdictions in the same thoroughfare, there were inevitable conflicts. For instance, the carriage-way and pavements required to be lowered or raised. If that is done without the consent or concurrence of the Metropolitan Board of Works who might have the subway, the entrances would be left sticking up above the pavement, or lowered, and accidents might arise.

1695. In the case you speak of, there might have been conflicting interests; but where there are no conflicting interests, is there any practical difficulty in having two masters?—I can only give you illustrations of the same character in support of what I have advanced. At this moment the Metropolitan Board of Works has certain main sewers running through the City. It has the control over the gullies connecting with them; over the ventilating shafts which ventilate them, and over the side entrances which connect them; and it was found such an inconvenience that the Commission has been allowed to alter it. That is a proof that if they exerted their powers, and had their jurisdiction upon the surface at all, that inconvenience would result.

[The Witness was directed to withdraw.

Thomas Grieves Barlow, Esq,, called in; and Examined by Mr. *Calvert*, as follows:

T. G. Barlow, Esq.

1696. YOU are a Civil Engineer?—Yes.

1697. And I believe for the last 30 years have been actively employed on subjects of gas?—Gas and water.

1698. You are consulting engineer to a great number of gas and water companies?—Yes.

1699. Now, you heard Mr. Haywood's evidence on Friday last, upon the subject of inconvenience likely to arise from the conflict of jurisdiction, if the subway were placed under the authority of the Metropolitan Board of Works?—I did.

1700. Do you generally concur in the views which Mr. Haywood expressed upon that subject?—I do.

1701. Now, in addition to that, I think you have an opinion as to the evil that might arise from the letting or the selling of the subways, or parts of it, to any particular company?—Under the 5th clause of this Bill, power is taken by the Metropolitan Board of Works to sell the right to lay gas and water-pipes through the subway. If that power were exercised, they might sell that right to one of the Companies, there being now two Companies supplying that district; they might sell it to one, to the exclusion of the other.

1702. And that would be not only prejudicial to the Compauy, but prejudicial to the competition?—Just so.

1703. Now, I believe that all the other subjects in your proof have been mentioned by Mr. Haywood?—They have, generally.

1704. Therefore, you having offered that additional remark, you generally concur

concur in Mr. Haywood's views with respect to all the rest of the subjects?—Yes. *T. G. Barlow*, Esq. 27 April 1863.

1705. Lord *John Manners.*] Have you been consulted by the City Gas Works?—Occasionally, but not in this matter.

1706. Put yourself in the position of proprietor of the City Gas Works, do you imagine that it would be more convenient for them that the subway which we are talking about should be under the management of the Metropolitan Board of Works, or under the management of the City Commissioners of Sewers?—The Commissioners of Sewers.

1707. You have no doubt about it?—I have no doubt about it, inasmuch as the City Commissioners of Sewers have the control of all the avenues leading to it.

1708. Have you been consulted by the other gas company at the eastern side?—I have not specially in connexion with this matter; on other occasions.

1709. You are acquainted with it?—Yes.

1710. Are you of opinion that it would be more for their convenience to have the subway under the management of the Metropolitan Board of Works, or of the Commissioners of Sewers?—Of the Commissioners of Sewers.

1711. Mr. *Ayrton.*] What is the district of the City Gas Company, or rather, have they obtained for themselves a district under the General Gas Act?—No, under the Act of 1860; the state of things which existed continues. The City Gas Company supplies south of Cheapside, and the Chartered Company the north; but the Great Central competes with both companies in both districts.

1712. There is a district, as regards the two former companies?—Yes; they do not compete with each other, but the third competes with both. The Central Gas competes with both the original companies.

1713. The Central Gas comes from the east side of London?—The gas is made at Bow.

1714. It might be convenient to them to get through this part of the district?—I do not think it would. They have already very large trunk mains laid down through the district. I do not think they would make use of the subway.

1715. But only for lighting the street itself?—Yes.

1716. Now, is there any difficulty in the City Gas Works getting into the subway in front of their works?—Yes; but not at the back. All their distributing pipes go from the back of the works into Bridge-street.

1717. Can they not lead a pipe from the back of their works to the front?—Oh, it is very inconvenient to dip under the channel to be left for the barges; they must get into it from the northern side.

Cross-examined by Mr. *Hope Scott.*

1718. Are you aware that the main intercepting sewer is to be constructed upon this street?—I was not aware of that; I thought it would be at a lower level altogether.

[The Witness was directed to withdraw.

Robert Alexander Gray, Esq., called in; and Examined by Mr. *Calvert*, as follows:

1719. YOU are Chairman of the City Gas Company?—I am. *R. A. Gray*, Esq.

1720. Are you acquainted with the proposal to have a subway?—I am.

1721. I do not know whether you consider that a necessary condition of the City or not?—I do not.

1722. Supposing that that subway is made, the question is, should it be under the authority of the City Commissioners of Sewers, or under the authority of the Metropolitan Board of Works?—If it should be made, which I think quite unnecessary, I would rather it should be under the jurisdiction of the City Commissioners of Sewers than of the Metropolitan Board of Works.

1723. Do you think that it would be a good thing to put the convenience of the subway up to competition?—I think that it would be an act of great injustice to my Company, more especially because we were restricted to that district by Sir William Congreve, but subsequently to that the Great Central

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came and ran over our district. If the subway were put up to competition, I might be deprived of my lighting, by that Company offering a much larger price than I should feel myself justified in doing.

1724. Now, have you found that the City Commissioners of Sewers in the exercise of their authority, have done their best to consult the interests of your Company in providing proper lights?—In most instances they have done so; but I have reason to complain of their acting very oppressively towards me, but not in laying their mains.

1725. Do you think it important that the subway should be under the same authority as the road above the subway?—I should think so.

Cross-examined by Mr. *Hope Scott*.

1726. I suppose you would not much mind the Metropolitan Board of Works keeping the subway, if they made a bargain to let none but the City Gas Works go into it?—Well, my friend, that would materially remove my objection; but living in this world, it is necessary for me to tell you, every one for himself.

Mr. *Calvert* stated this was the case for the City Commissioners of Sewers.

Mr. *Hope Scott*, on behalf of the promoters, prayed that he might be allowed to recall Mr. Bazalgette upon the subject of the alternative line which had been proposed by the Corporation of London since his examination.

Counsel and parties were ordered to withdraw.

The Committee deliberated.

After a short time, counsel and parties were again called in.

The Chairman stated that the Committee had decided to examine Mr. Bazalgette themselves with reference to the street suggested by Mr. Allen.

Joseph William Bazalgette, Esq., called in; and further Examined, as follows:

J. W. Bazalgette, Esq.

1727. *Chairman.*] HAVE you examined personally on the spot the place where Mr. Allen proposed or suggested that a new street might be formed to communicate between Dowgate and King William-street?—I have not examined personally on the spot since he made that Plan. I know the spot very well, and I have taken the Ordnance levels, about which there can be no doubt, and from them I find that the inclination of that street from Walbrook ——

1728. Just describe the street?—The street proposed as upon this Map is marked yellow.

1729. Do you mean the street at the north side of Cannon-street?—Opposite the railway station; that passes up by the side of St. Swithin's-lane to the end of King William-street.

1730. Mr. *Clay.*] Will you be good enough to point that out on the larger Map?—It is not shown on that larger Map. I can mark it on that Map (*the Witness marked the spot on the Map*).

1731. Will you state what the Ordnance levels are in that proposed street?—I stated before that there was a fall from the junction of New Earl-street and Cannon-street to Walbrook of 12 feet. From that point to the end of St. Swithin's-lane Cannon-street rises at an inclination of 1 in 33, very nearly as steep as Ludgate-hill. From the junction of the proposed new street in Cannon-street the inclination will be 1 in 26, or steeper than Ludgate-hill.

1732. Lord *John Manners.*] You say from the junction of the proposed new street in Cannon-street, up to what point?—Up to the middle of Cannon street, nearly opposite to Messrs. Rothschild's.

1733. *Chairman.*] Perhaps you had better state to the Committee exactly what the levels are that you have got from the Ordnance map?—I will give them to you. The level of Cannon-street at the point of divergence of the proposed new street is 38·13 feet. The level of St. Swithin's-lane, as shown by the Ordnance map, a little south of New-court is 49·81.

1734. Mr.

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1734. Mr. *Tite.*] New-court is Baron Rothschild's?—Yes, and the inclination of that is 1 in 25·9; very much steeper than it is here.

1735. Mr. *Russell Gurney.*] What is the length of that street?—Three hundred and ten feet.

1736. *Chairman.*] From what points?—From the centre of St. Swithin's-lane to the divergence of the new street from Cannon-street.

1737. Mr. *Tite.*] Are the same points on the plan as they are on the section?—They are.

1738. *Chairman.*] Will you give us the intermediate level. You gave us the two extreme points: you gave us Cannon-street and St. Swithin's-lane?—And the centre of St. Swithin's-lane.

1739. Now, will you give us the centre of Cannon-street, near Dowgate?—At what point?

1740. I want the level of Cannon-street, not far from Dowgate station?—38·13.

1741. I thought that was at the point of divergence?—That is the point where the new street diverges. That, I submit, is an inclination which renders that street impracticable altogether. I have looked very carefully over the levels, and I am prepared to state that no divergence from the direct line from Earl-street to the Mansion House can be made towards the south without spoiling the levels of that street.

1742. Mr. *Ayrton.*] Do you mean that there can be no street constructed from the point of intersection at Cannon-street to the Mansion House, or to the east side of the Mansion House, that will not give a practical level for the carriage way?—There cannot. Any divergence to the south of the Mansion House will spoil the level of the street.

1743. You say "spoil." I asked you whether they would be able to give a practical level for the carriage way?—I am not prepared to say that you might not get 1 in 50, or something of that sort, but it would be a hill.

1744. Or 1 in 60?—Yes; at present, it being a level, you cannot get to the south of the Mansion House without spoiling the level of the street.

1745. Supposing it went to the point of intersection at the corner of the Mansion House, to the south corner, instead of the north corner, what would be the effect then?—The levels in that street would be exceedingly bad; very bad. The rise from Walbrook, where it would cross Walbrook to the corner of the Mansion House, would be 1 in 33.

1746. Where from?—I will show you. (*The Witness pointed to the Plan.*) Supposing the street to run in a direct line across to the Mansion House, crossing Walbrook, the rise from that point to that (*pointing to the Plan*) would be 1 in 33.

1747. Supposing it went to the southern corner of the Mansion House?—To this point (*pointing to the Plan*)?

1748. Yes?—That probably would make it better; that would make a good gradient; that would be 1 in 200. I am supposing now that you start from the same point, from Earl-street, and just opposite to the Mansion House. If you keep close you get a good gradient.

1749. If it went from the south-east corner of Walbrook to the south-east corner of the Mansion House, what would be the gradient then?—I do not quite see the line; what point do you speak of?

1750. *Chairman.*] It has been suggested that it is the brown line; that a new street might be made from the southern end of Walbrook to the east of the Mansion House, going into Lombard-street?—I think I worked that out at something like 1 in 50.

[The Witness was directed to withdraw.

Mr. *T. Chambers* handed in a Paper, headed "Report, Improvement Committee, to be presented to the Court of Common Council, on Monday, the 8th of December, 1862." *Vide* Appendix, No. 2.

Mr. *Hope Scott* was heard to address the Committee on behalf of the Promoters in reply.

Counsel and parties were ordered to withdraw.

J. W. Bazalgette, Esq.

27 April 1863.

The Committee deliberated.

After some time, counsel and parties were again called in.

The Chairman stated that the Committee had come to the decision that the Preamble was proved.

The Clauses were proceeded with, and passed with their amendments on Clause 3.

Mr. *Loch* was heard to address the Committee on the petition of Mr. Henry Norris, and he submitted that words ought to be inserted in Clause 3 limiting the Metropolitan Board of Works to taking such parts only of the petitioner's property as were required for the purpose of carrying the proposed scheme into effect.

Mr. *Johnson* stated that he would waive his right to address the Committee in opposition to the proposition of the petitioner, and would recall Mr. Bazalgette.

Joseph William Bazalgette, Esq., called in; and further Examined by Mr. *Johnson*, as follows:

1751. BE kind enough, in the first place, to point out to the Committee Mr. Norris's property, the extent, and the locality of it?—Mr. Norris's property is situated on the west side of St. Andrew's-hill; I cannot point it out on this map.

1752. Can you point it out on that larger map?—Yes.

1753. *Chairman.*] Will you take the deposited Plan, you can see it there?—Yes (*The Witness referred to the deposited Plan.*)

1754. Mr. *Johnson.*] Now, next in the interest of my friend, let me ask you the character of that property; it is described as respectable cottage property—house property—does it fairly answer that description?—I believe it does.

1755. Now, then, next state to me with reference to the purposes which the Metropolitan Board of Works have in view, you have scheduled there, within certain limits of deviation, a certain portion of that property?—We have.

1756. All but the two pink patches?—Yes.

1757. Now, for the execution of the works of the Metropolitan Board of Works, and taking an engineering precaution, have you scheduled more than you think it essential for them to possess Parliamentary power over?—No, the principle on which the Metropolitan Board of Works acts, is to compensate the owners of property fully for the value of the property taken, and to take not more than is necessary, because that would be to waste public money, but to take sufficient to construct the street itself, and to get a sufficient depth beyond the street; to enable a better class of property to be built up opposite that street.

1758. When you say full compensation, do you mean any prospective value that that property may have at the time the Metropolitan Board of Works purchase it?—No; the principle upon which they would pay compensation would be the value of the property as it stands. This street will greatly enhance the value of the property, and the Metropolitan Board have calculated that in a return on the value of the land.

1759. It means any prospective value the property may have, looking at matters as they stand now?—Oh, clearly. The parties are fully compensated for the value of the property. They show their case and are compensated accordingly, but if we bound ourselves to take simply the width required for the formation of the street, it would be to enhance greatly the value of the property on either side, and to give it to the owners of property on each side instead of getting a return.

1760. And it would fetter the hands of the Metropolitan Board of Works in respect to the mode in which they should carry out the works, they themselves being responsible for the proper execution of them?—Yes. On the Plan before us the portions coloured dark or pink are those properties which the surveyors have estimated as the property they will, in all probability, require for the street, but the limits of deviation go a little beyond that, and it is not possible for any one, in the present state of the thing, to determine how far exactly they may have

have to purchase the property. In these cases, different interests arise, and you must name a little margin. In this case we have taken less margin than Parliament gives for Bills generally, and as little as prudence suggests. The Parliamentary limit, I think, is five chains on either side.

1761. What have you taken here?—Something very much less than that. It is very variable.

1762. Mr. *Tite*] Three hundred feet?—Yes.

1763. Mr. *Johnson*.] It is impossible to define, by anticipation, what the Metropolitan Board of Works may require absolutely when they come to carry those works into execution?—It is.

1764. You must have light and air and so on?—And also the benefit of shifting the line; sometimes it makes a great difference, particularly when the levels are so steep.

1765. And this, you say, has been the invariable principle upon which the Metropolitan Board of Works have acted?—Yes, in Parliament, in all other Bills.

1766. And this without an exceptional provision?—Yes, quite so.

Cross-Examined by Mr. *Loch*.

1767. This Plan represents the centre line of the proposed street, does it not. (*Handing a Plan to the Witness*) ?—Yes.

1768. Is not your street there when it passes that point or thereabouts upon an embankment of about five feet high?—It is.

1769. It would be an elevation to the extent of five feet above the level of the ground?—In the centre of the street.

1770. *Chairman*.] It is in Jackson's-court?—Yes.

1771. Mr. *Loch*.] The ground is 20 feet higher than the level of the ground at the spot of your centre line?—Twenty feet higher.

1772. The ground, in fact, rises from your centre line upwards?—Yes.

1773. You see the steps by which these houses are approached?—Yes.

1774. The ground is there 20 feet higher than the natural level, and, therefore, 15 feet higher than the proposed surface of your new street?—I am not aware of the exact level; I know that it rises higher here.

1775. Would not that have the effect of inducing you to confine your new street to the spot upon which the least amount of artificial embankment or excavation would be necessary; you would not, unless some strong reason induced you to do so, carry your line more in this direction as against the face of a rising here?—The street is there in embankment 6 feet.

1776. You would have to make room for that by excavation?—The street is in embankment.

1777. And, up to a certain point, you would lose the necessity of making an embankment?—Yes.

1778. Do you think it likely that there would be a variation from this proposed street?—I should think not; but at the same time it is on a curve, and I should not like to be exactly confined there within the limits of deviation.

1779. Is it at all likely that you would have to move your street so far as to bring it up to this point (*pointing to the Plan*)?—It is quite possible. At the present time I do not anticipate that it would be; but I am not prepared to say that there might not be reasons.

1780. For moving it up?—For moving it up.

1781. Now, supposing that the Bill passed, giving you power to remove your street up, would you object to being confined to taking so much as is just necessary for your street?—I should.

1782. Why?—Because I think that the Metropolitan Board of Works should be entitled in that case, as in all others, to take so much land as would enable them to let the land hereafter for building frontage.

1783. You do not speak now quite as an engineer; but as an officer of the Metropolitan Board of Works?—Oh, I speak as an engineer, without reference to the Metropolitan Board of Works, or anybody for whom I was acting.

1784. Would it be sufficient for you, if you had power under your limits of deviation of placing your street there, or there, or there, as circumstances might require?—I do not think it would; I do not think that that would be sufficient.

J. W. Bazalgette, Esq.

27 April 1863.

1785. Am I to understand that your further answer is, that you would require to take frontage compulsorily from parties, who do not desire to part with it, that the frontage may be of a superior nature?—I think that any parties constructing a street of that kind, should be left free to construct the street in the manner that they have given evidence, they can do it for a certain sum. If afterwards they are to be restricted to a line of street, their estimates would not be right; they would be overthrown by such restrictions.

1786. You said if the Metropolitan Board desire to take the adjoining property in order that they might build a better class of houses than would exist, or might possibly exist?—Yes.

1787. That is your motive?—Yes, and that they should have the power of letting that land.

The Chairman stated that it was the opinion of the Committee that Mr. Loch should, in order to support the claim of the Petitioner, show that something special existed with reference to this particular property, and different from ordinary cases.

Mr. *Loch* stated that one rule in dealing with property of the description possessed by the Petitioner was to enable the Metropolitan Board of Works to sweep away a great number of inferior buildings, in order that a better class of buildings might be erected in their place; that here was a property which, by the confession of the engineer, was both respectable and good, and that upon some of the buildings the Petitioner had laid out large sums of money.

Witness.] It is not property that is at all fit or proper for a frontage to the new street; it must go, whoever takes it.

1788. Mr. *Loch.*] If Mr. Norris is willing to be bound by a clause to put up houses of such a character as will be approved by the Metropolitan Board of Works, will not that satisfy your requirements?—No; I see no reason why he should be placed in different circumstances to all the other owners along the line.

The Chairman stated that the practice had always been to take sufficient for the new street, and to build houses at the side of the new street. The question appeared to be whether the promoters took more land than was necessary for building the houses.

Mr. *Loch* stated that his client claimed to be left in possession of any contingent advantage that might arise.

The Chairman stated that it was the opinion of the Committee that this proposition could not be entertained.

1789. Mr. *Crawford.*] What is your purpose in taking so much of this blue part of the property above Canterbury-court, without taking the rest?—We require the property to Canterbury-court without any deviation, and upon a comparatively general view of the case. When we come to buy the property, a little deviation would bring us into that property north of Canterbury-court, and therefore a deviation here (*pointing to the Plan*) is not more than prudence requires to enable us to have a little margin.

1790. Is it not the purpose of the Metropolitan Board of Works to preserve the right to take this increased part of the property if they should find that it will bear a value that will considerably increase the sum they will get back from the sale?—It is not their present intention to take that. Their present intention is to come up to Canterbury-court, and they have scheduled these few small houses beyond which they ask you to leave them a margin in case it should be necessary.

1791. What is the distance from the centre line of the street up to Canterbury-court?—Ninety feet, or something more—(*measuring.*) It is about 100 feet.

1792. From the centre line of the street up to Canterbury-court?—Yes.

1793. How much of that will be required for the street?—Thirty-five feet.

1794. And the balance will remain for the frontage to be sold?—Yes, it gives a depth of about 60 feet.

1795. How

1795. How much do you consider, generally, a sufficient depth of frontage?—That is hardly enough.

1796. *Chairman.*] You think it possible that it may be desirable to shift your line a little to the northward of the intended place?—I do.

1797. Mr. *Crawford.*] Why is it, upon the same principle, that you do not take the whole property?—It is curved here; there is the pinching point; it is obliged to be laid out, so that some property has not the same depth of frontage that other property has. At that point it is very close indeed. It is not more than 50 feet.

1798. Has the question of giving this property a frontage towards Saint Andrew's-hill had anything at all to do with taking this property?—None whatever; nothing at all.

1799. Mr. *Tite.*] With reference to the suggestion of that large circus which has been spoken of, it is very probable that some space might be wanted there; did you hear the evidence of Mr. Haywood this morning?—I did.

1800. Mr. *Loch.*] If you will not give him the option of retaining a portion of his land, you will give him the option of purchasing those two pink pieces, which are marked upon the Plan which I produce?—That would be a question for consideration in dealing with the value of the land. He will then show that his land is cut up; that there is a severance, and he will be paid for it in proportion.

1801. Lord *John Manners.*] Are these spots (*pointing to the Plan*) within the limits of deviation?—No, they are not.

1802. *Chairman*] The pink parts are not within the limits of deviation?—No.

Counsel and parties were ordered to withdraw.

The Committee deliberated.

After a short time counsel and parties were again called in.

The Chairman stated that the Committee did not think that any sufficient reason existed for encouraging the learned counsel for the petitioner to resume the subject to-morrow, inasmuch as it did not appear to them that any special case had been made out that would justify the insertion of such a clause in the Bill as had been suggested, although they had not had the clause actually before them.

LIST OF APPENDIX.

Appendix, No. 1.

Paper delivered in by Mr. George Sidney Hatton, 23 April 1863:

Contributions granted by the Metropolitan Board of Works towards Expenses of Public Improvements, 1856 to April 1863 - - - - - - - - - - p. 105

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Report, Improvement Committee, to be presented to the Court of Common Council on Monday, 8 December 1862 - - - - - - - - - - - - - - p. 106

APPENDIX.

Appendix, No. 1.

PAPER delivered in by Mr. *George Sidney Hatton*, 23 April 1863.

Appendix, No. 1

(A.)

CONTRIBUTIONS granted by the METROPOLITAN BOARD of WORKS towards EXPENSES of PUBLIC IMPROVEMENTS, 1856 to April 1863.

Number.	PARISHES, DISTRICTS, AND PARTS.	Contributions Granted by the Board towards Expenses of Public Improvements, 1856 to April 1863.
		£. s. d.
1	City of London	18,291 16 7
2	St. Marylebone	2,000 – –
3	St. Pancras	—
4	Lambeth	50 – –
5	St. George, Hanover-square	—
6	Islington, St. Mary	116 13 4
7	Shoreditch, St. Leonard	—
8	Paddington	—
9	St. Matthew, Bethnal Green	135 – –
10	St. Mary Newington, Surrey	—
11	Camberwell	785 6 8
12	St. James, Westminster	—
13	St. James and St. John, Clerkenwell	—
14	Chelsea	304 – –
15	Kensington, St. Mary Abbotts	1,875 – –
16	St. Luke, Middlesex	—
17	St. George the Martyr, Southwark	66 13 4
18	Bermondsey	559 5 1
19	St. George-in-the-East	—
20	St. Martin-in-the-Fields	—
21	Hamlet of Mile End Old Town	—
22	Woolwich	—
23	Rotherhithe	151 1 9
24	St. John, Hampstead	—
25	Whitechapel District	500 – –
26	Westminster - ditto	833 6 8
27	Greenwich - ditto	8 6 8
28	Wandsworth - ditto	47 10 –
29	Hackney - ditto	—
30	St. Giles - ditto	—
31	Holborn - ditto	—
32	Strand - ditto	—
33	Fulham - ditto	166 13 4
34	Limehouse - ditto	1,002 6 5
35	Poplar - ditto	—
36	St. Saviour's - ditto	—
37	Plumstead - ditto	333 6 8
38	Lewisham - ditto	—
39	St. Olave - ditto	255 – –
40	The Charter House	—
41	Gray's Inn	—
	TOTAL £.	27,481 6 6

Office, Spring Gardens,
21 April 1863.

G. S. Hatton,
Accountant to the Metropolitan Board of Works.

Appendix, No. 2.

Appendix, No. 2.

REPORT IMPROVEMENT COMMITTEE, to be presented to the COURT of COMMON COUNCIL on Monday, 8 December 1862.

To the Right Honourable the Lord Mayor, Aldermen and Commons of the City of London, in Common Council assembled.

WE whose names are hereunto subscribed, of your Committee for improvements within this City, to whom, on the 6th day of December 1860, it was referred to carry into execution our report then presented, relative to the establishment of a central railway station in the City of London; and to whom also, on the 15th day of May last, upon consideration of our report on the reference "to obtain a copy of the correspondence between the Right Honourable W. F. Cowper, Her Majesty's Chief Commissioner of Works, and John Thwaites, Esq., Chairman of the Metropolitan Board of Works, relative to the proposed Thames Embankment and new street to the Mansion House," it was referred to make further inquiry, with a view of ascertaining whether other means could be obtained to enable the Corporation to carry into execution the contemplated works within the City, the Court agreeing with the Committee in their report, with respect to the Corporation not being in possession of funds then available for the required purposes, do certify that we have from time to time duly proceeded in the consideration of the matters referred to us, and have lately had submitted to us by Mr. Remembrancer, a letter addressed to him by Mr. Alderman Cubitt, late Lord Mayor, of which the following is a copy:—

"Penton Lodge, Andover,
"16 November 1862.

"Dear Sir,

"Mr. Cowper spoke to me last Monday evening at Guildhall on the subject of the proposed new street from Blackfriars Bridge to the Mansion House, and said that he should be prepared to recommend that its construction should be placed in the hands of the Corporation, and that the Fourpenny Coal Duty might be extended for a further term.

"I said that there was a difficulty in raising adequate capital on an income so long deferred, and asked whether the Government would be willing to afford any facilities to lessen that difficulty. He said we must not reckon on any assistance in that way; that the Chancellor of the Exchequer had a great aversion to such a proceeding.

"I undertook to bring the question before the proper authorities, and to inform him of the result.

"I am, &c.
"*William Cubitt.*"

"Mr. Remembrancer."

We forthwith proceeded to consider the said letter, and, after due deliberation, we instructed a deputation to wait upon Mr. Cowper upon the subject, as well as to urge the great desirability of the Fourpenny Coal Duty being further continued, in order to admit of important public improvements in the City being executed without delay, particularly the raising of Holborn valley, and other improvements connected therewith.

In adopting this course we felt it our duty to keep prominently in view what we conceived to be the legitimate appropriation of the Fourpenny Coal Duty; viz., for City improvements generally. At the same time our primary endeavour was directed to secure for the Corporation the execution of the intended new street.

Prior to the interview being held with Mr. Cowper, the deputation were attended by Mr. Chamberlain and the City Architect, and were advised that the cost of the new street would probably be not less than 700,000*l.*, whilst the present value of the reversion of the Fourpenny Coal Duty was about 330,000*l.*, as the sum which could be raised upon such Duty.

Other points were also discussed, as desirable to be urged upon the attention of the Chief Commissioner, and are hereafter alluded to in connexion with the result of the conference.

In order, however, to bring the subject fully before this Honourable Court, and to elucidate our subsequent observations in reference to the raising of Holborn valley, and effecting other

other improvements in connexion therewith, we beg to quote the following extract from our Report of the 6th December 1860:—

"We have received from James Bunstone Bunning, Esq., the City's Architect, an important report (accompanied by plans), indicating the north end of Farringdon-street as a desirable site for a central railway station.

"Your Committee have considered the said report and plans in connexion with the various points embodied in the reference from this Court; and, sensible of the magnitude of the undertaking, we have anxiously deliberated upon the probable advantages attached thereto. And first, we find that the design lifts the valley of the Fleet, at the point A. on the plan, 12 feet 6 inches, thereby improving the acclivity of Holborn-hill, by reducing the gradient from 1 in 19 to 1 in 40, and that of Skinner-street to 1 in 45, an improvement which, with especial regard to the public convenience, can scarcely be over-estimated. The plan also provides not only for uniting all the existing and contemplated railways, but for connecting them with the proposed new meat market in Smithfield. It suggests a profitable employment of the site of Farringdon Market, and the large amount of unoccupied land in Victoria-street; and whilst pulling down much of the smaller property from Long-lane westward to Holborn-hill, contemplates very desirable street improvements in that and the surrounding locality.

"Under these circumstances, therefore, and mindful of the desire invariably shown by railway companies to advance their lines into the City, we are of opinion that the formation of a central railway station in the City of London is not only practicable but desirable; and believing that the execution of such a scheme, whilst considerably enhancing the value of the City's property, would confer large benefits, not only upon the citizens of London, but upon the community at large, we respectfully recommend that we should be authorised to prosecute this most important inquiry, by conferring, as may be considered expedient, with the Government, the railway companies and other parties, upon the subject, reporting our proceedings thereon to this Honourable Court."

We have accordingly, as opportunities have occurred, prosecuted the inquiry with due diligence, and have received from the authorities of the London, Chatham, and Dover Railway Company assurances of their willingness to co-operate in carrying out the plan by improving the street accommodation in the vicinity of their line of railway.

A model has also been prepared in connexion with the Plans accompanying our Report of the 6th December 1860, showing the advantages to be anticipated to the various public and private interests by the adoption of the design as submitted by the City Architect.

Conceiving that the execution of a design, in which paramount importance is attached to the necessity of improving the objectionable gradients of the hills at Holborn, Skinner-street, and King-street, would accomplish not only a City but an essential metropolitan improvement, your Committee have anxiously watched the particular time when this great scheme should be brought prominently before the several authorities, and their co-operation sought in determining the particular plan to be adopted, and in raising the funds necessary for its execution.

Having thus endeavoured to place clearly before the Court the views entertained, and the proceedings taken by your Committee upon these important questions, we proceed to refer to the result of the conference held with Mr. Cowper, Chief Commissioner of Works, on the 25th ultimo, and at which were present the Chairman of your Committee, Mr. Chamberlain, Mr. Town Clerk, Mr. Remembrancer, and the City Architect.

The fact alluded to in our former report was again urged upon Mr. Cowper's serious attention, viz., that the Corporation of London have hitherto been charged with the execution of all public improvements within the City. Mr. Cowper was also assured of the readiness of the Corporation to assist by all means in their power in carrying out such improvements in the City as might be thought desirable.

With regard to the intended street from Chatham-place to the Mansion House, it was suggested to Mr. Cowper that, looking to the probable value of the reversion of the Fourpenny Coal Duty (330,000 *l.*), the Corporation should execute (as in the case of the improvements in Cannon-street) in the first instance that portion of the street from Chatham-place to the end of New Earl-street, terminating in Cannon-street; the advantage in adopting this course being, that it would afford time for ascertaining the effect upon the traffic in Cannon-street, of the contemplated erection in that neighbourhood of the chief station of the Charing-cross Railway Company, and the consequent desirability (which at the present time we think is open to considerable doubt) of continuing the said street to the Mansion House.

The whole subject was very fully discussed, but we regret to state that the deputation were not successful in altering Mr. Cowper's decided opinion that the street forming an integral part of the general plan in connexion with the embankment of the Thames, if the Corporation were not now prepared with funds to make the street from Chatham-place to the Mansion House, the execution thereof must remain with the Metropolitan Board of Works.

Under these circumstances, therefore, and as connected most materially with the future appropriation of the Fourpenny Coal Duty, the deputation, by our instructions, and under the previous authority of this Honourable Court, brought under the notice of Mr. Cowper the most important improvement before referred to in connexion with the raising of Holborn-valley. The details of the scheme were fully explained by the City's Architect, and in the result, Mr. Cowper expressed his approval of a continuation of the Fourpenny Coal Duty for a further period of 10 years, the produce to be applied by the Corporation of London,

Appendix, No. 2.

in the first instance to the raising of Holborn-valley, and afterwards to such other improvements within the City as Parliament may sanction.

In these several proceedings we fully concur; and, believing that in addition to the favourable reception of the proposition by Her Majesty's Chief Commissioner of Works, the proposed concentration of the lines and termini of many of the principal railways combines to suggest the present moment as the time when the long contemplated and comprehensive scheme herein referred to should be maturely considered and vigorously prosecuted, we beg therefore to recommend that we should be authorised to take such steps as may be necessary to carry into effect the proposed arrangements with the Chief Commissioner of Works in reference to obtaining the sanction of Parliament for the continuation of the Fourpenny Coal Duty for the purposes stated, and for further prosecuting the contemplated improvements in and near Victoria-street, with the assistance of such other bodies as are interested in the execution of this great metropolitan work.

All which we submit to the judgment of this Honourable Court. Dated this 4th day of December 1862.

(signed) *T. H. Fry.*
Sills Jno. Gibbons.
William Webster.
D. J. McLauchlan.
Edward Conder.
Richard N. Philipps.
George Mason.
J. Malcolm.
M. McGeorge.
S. C. Hadley.
J. C. Edmiston.
H. De Jersey.
John Humphery.
H. Wellington Vallance.
James Medwin.

I N D E X.

[*N.B.*—In this Index the Figures following the Names of the Witnesses refer to the Questions in the Evidence; and those following *App.* to the Paging of the Appendix.]

A.

ALLEN, ALFRED. (Analysis of his Evidence.)—Represents the City Architect, 1111, 1112——In accordance with recent instructions from the City Solicitor, has drawn a plan for a street from the Cannon-street Railway Station to the Mansion House, and explains the same to the Committee, 1113 *et seq.*——Route of this street; proposed termination east of the Mansion House, 1119–1125. 1151, 1152——Curved character of the street, in order to avoid interference with several valuable properties; objection on this account to a direct line, 1119–1126. 1145–1147. 1155–1158. 1189——Facility to be afforded to the railway traffic by means of the proposed street, as compared with existing communications, 1130, 1131. 1142–1160——Objections to any interference with the church at the back of the Mansion House, 1161–1188.

B.

Barlow, Thomas Grieves. (Analysis of his Evidence.)—Concurrence in the views of Mr. Haywood as to the inconvenience likely to arise from the proposed subway being under the jurisdiction of the Metropolitan Board of Works, 1696–1718.

Bazalgette, Joseph William. (Analysis of his Evidence.)—Progress made with the preliminary steps necessary in reference to the Thames Embankment; the contracts will probably be let in June next, 4——The proposed new street from the Thames Embankment at Blackfriars to the Mansion House was designed by witness, 5——Its total length is 5,450 feet, 6——Its average width is seventy feet, except at New Earl-street, where it is sixty feet wide, and at Blackfriars Bridge, where it will be 130 feet, 5–11——Considerable expense necessary in order to widen New Earl-street; the plan admits of this being done at any future time, 12, 13.

Important difference between the levels of the street as now proposed and as proposed by the Royal Commissioners of 1861; improvement by the present plan, 14——Particulars relative to the levels or gradients at different points, 14–18——Considerable deviation from the Commissioners' plan of 1861 in regard to the mode of connecting the side streets with the new street; information hereon, 18–24.

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REPORT

FROM THE

SELECT COMMITTEE

ON

THAMES EMBANKMENT (SOUTH SIDE) BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

Ordered, by The House of Commons, *to be Printed,*
19 *June* 1863.

Jovis, 16° *die Aprilis*, 1863.

Ordered, THAT the Thames Embankment (South Side) Bill be committed to a Select Committee.

Jovis, 23° *die Aprilis*, 1863.

Ordered, THAT the Petitions from H. Doulton and J. Stiff, and the Vestry of St. Mary, Lambeth, against the Bill, be referred to the Committee.

Veneris, 24° *die Aprilis*, 1863.

Ordered, THAT the Petition of the Company of Proprietors of Lambeth Waterworks against the Bill, and the Petition of Thomas Grissell for alteration, be referred to the Committee.

Jovis, 7° *die Maii*, 1863.

Committee nominated of—

Mr. Cowper.	Mr. Cox.
Lord John Manners.	Mr. William Cubitt.
Mr. Doulton.	Viscount Holmesdale;

and Five Members to be nominated by the Committee of Selection.

Ordered, THAT the Committee have power to send for Persons, Papers, and Records.

Ordered, THAT Five be the quorum of the Committee.

Veneris, 8° *die Maii*, 1863.

The Committee of Selection nominated—

Mr. C. R. M. Talbot.	Mr. Buxton.
Mr. Baxter.	Lord Richard Grosvenor.
Mr. Marsh.	

Mercurii, 17° *die Junii*, 1863.

Ordered, THAT Mr. William Cubitt be discharged from further attendance on the Committee, and that Mr. Tite be added thereto.

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REPORT.

THE SELECT COMMITTEE on the THAMES EMBANKMENT (SOUTH SIDE) BILL report, That they have examined the allegations of the Bill, and found the same to be true; and have gone through the Bill, and made Amendments thereunto.

19 June 1863.

PROCEEDINGS OF THE COMMITTEE.

Mercurii, 17° *die Junii*, 1863.

MEMBERS PRESENT:

Mr. Cowper.	Mr. Doulton.
Lord John Manners.	Viscount Holmesdale.
Mr. Talbot.	Mr. Cox.
Mr. Buxton.	

Mr. *Cowper* was called to the Chair.

Preamble read 1°.

Counsel for the Bill:—Mr. *Hope Scott*, Mr. *Phinn*, and Mr. *Johnson*.

Agent:—Mr. Parkes.

Petitions against the Bill read.

1. Vestry of St. Mary, Lambeth.
   Agent:—Mr. *Roffey*.
2. Thomas Grissell.
   Agent:—Mr. *Walmisley*.
3. H. Doulton and J. Stiff.
4. The Company of Proprietors of Lambeth Waterworks.

No parties appeared in support of the above petitions.

Mr. *Hope Scott* was heard to open the case in support of the Preamble of the Bill.

Mr. *Joseph William Bazalgette*, Mr. *George Pownall*, and Mr. *George Hatton*, examined.

Room cleared.—Committee deliberated.

Preamble read 2°, and amended, by inserting the words "or public footway," after the words "a public roadway," in page 2, line 9.

Question, "That the Preamble, as amended, is proved," put, and agreed to.

Parties called in, and informed thereof.

The Committee proceeded with the Clauses of the Bill.

Clause 1 A. "Public footway along the embankment," brought up, and read 1°.

Room cleared.—Committee deliberated.

Amendment proposed, after the words "a public footway of not less than," to fill up the blank with the word, "Seventeen," (Mr. *Doulton*).—Question, "That the word 'Seventeen' be there inserted," put.—Committee divided:

Ayes 2.	Noes 3.
Mr. Doulton.	Lord John Manners.
Mr. Buxton.	Mr. Cox.
	Mr. Talbot.

Amendment proposed, to fill up the blank with the word "Twenty," (Lord *J. Manners*).—Question, "That the word 'Twenty' be there inserted," put, and agreed to.

Question, "That the Clause, as amended, be added to the Bill," put, and agreed to.

Parties called in, and informed thereof.

The Committee proceeded with the Clauses of the Bill, and made amendments thereunto.

Clause 18, " Power to Board to borrow for purposes of this Act," read.

Room cleared.—Committee deliberated.

Amendment proposed, after the words " money to the extent of," to fill up the blank with the the words " Seven hundred thousand pounds," (Mr. *Doulton*).—Question, " That those words be there inserted," put.—The Committee divided:

Ayes, 3.	Noes, 2.
Lord John Manners.	Mr. Cox.
Mr. Doulton.	Mr. Talbot.
Mr. Buxton.	

Question, " That the Clause, as amended, stand part of the Bill," put, and agreed to.

Parties called in, and informed thereof.

The Committee proceeded with the Clauses of the Bill.

Manuscript Clause 20 A. " Board may give their general fund as collateral security," brought up, and read 1°.

Room cleared.—Committee deliberated.

Question, " That this Clause be added to the Bill," put.—Committee divided:

Ayes, 3.	Noes, 2.
Lord John Manners.	Mr. Cox.
Mr. Doulton.	Mr. Talbot.
Mr. Buxton.	

Parties called in, and informed thereof.

The Committee proceeded with the Clauses of the Bill, and made amendments thereunto.

[Adjourned till To-morrow, at Twelve o'clock.

Jovis, 18° *die Junii*, 1863.

MEMBERS PRESENT:

Mr. COWPER in the Chair.

Mr. Doulton.	Mr. Talbot.
Lord John Manners.	Mr. Buxton.

The Committee proceeded with the Clauses of the Bill, and made amendments thereunto.

Mr. *Hopgood*, on behalf of Thomas Grissell, proposed a Clause, " As to property of Thomas Grissell, Esq.," and was heard in support thereof.

Clause brought up, and read 1°.

Mr. *Phinn* was heard against the Clause.

Mr. *Hopgood* was heard in reply.

Question, " That this Clause be added to the Bill," put, and negatived.

The Committee went through the remaining Clauses of the Bill, and made amendments thereunto.

Other manuscript Clauses brought up, read 1°, 2°, and added to the Bill.

Ordered, To Report.

LIST OF WITNESSES.

Mercurii, 17° *die Junii*, 1863.

Joseph William Bazalgette, Esq. - - - - - p. 1. 13
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Jovis, 18° *die Junii*, 1863.

Joseph William Bazalgette, Esq. - - - - - - p. 14

MINUTES OF EVIDENCE.

Mercurii, 17° *die Junii*, 1863.

MEMBERS PRESENT.

Mr. Buxton.	Lord Richard Grosvenor.
Mr. Cowper.	Lord John Manners.
Mr. Cox.	Mr. C. K. M. Talbot.
Mr. Doulton.	

THE RIGHT HON. WILLIAM COWPER, IN THE CHAIR.

17 June 1863.

The Petition for the Bill was read.

Mr. *Hope Scott*, Mr. *Phinn*, and Mr. *Johnson* appeared as counsel in support of the Bill.

Messrs. *Dyson, Hall, Parkes, Coates*, and *Shrubsole* appeared as agents.

The following Petitions against the Bill were read:

The Petition of Henry Doulton and James Stiff, against the Bill.

No person appeared in support of this Petition.

The Petition of the Vestry of Saint Mary, Lambeth.

Mr. *Roffey* appeared as agent in support of the Petition on Clauses.

The Petition of the Company of Proprietors of the Lambeth Water-works.

No person appeared in support of this Petition.

The Petition of Thomas Grissell.

Mr. *Walmisley* appeared in support of this Petition on Clauses.

Mr. *Hope Scott* was heard to open the case to the Committee in support of the Bill.

Joseph William Bazalgette, Esq., sworn; Examined by Mr. *Phinn*.

J. W. Bazalgette, Esq.

1. YOU are, as we all know, the Engineer to the Metropolitan Board of Works?—I am.

2. Your attention has, in that capacity, been directed to the necessity and the utility of embanking the south bank of the Thames from Westminster Bridge, in the direction of Vauxhall?—It has.

3. And in fact much further also?—Yes.

4. You have had before you the Report of the Royal Commission, have you not?—Yes.

J. W. Bazalgette, Esq.

17 June 1863.

5. Have you prepared this model, which shows the intended works?—I have.

6. The objects of the Bill are twofold, I think: to improve the sanitary condition of the district by keeping out the inundations of the Thames, and, secondly, to provide a better mode of communication towards Westminster Bridge and the parts towards the City?—Yes, it has those objects; and also to improve the river itself.

7. With a view to the first of those objects, namely, the embankment of the river, from what point to what point do you propose the embankment?—I propose that the embankment should commence at the fourth abutment of Westminster Bridge, and proceed to the fourth abutment of Lambeth Bridge, opposite to Broad-street, and then that, instead of embanking into the river, an excavation should be made into the river, and the river widened from that point to Gun House-alley.

8. That point, Gun House-alley, is near the London Gasworks, is it not?—Yes, near the London Gasworks.

9. By that process, what quantity of land would you reclaim from the river?—We should increase the width of the river, from 593 feet to 717 feet in width.

10. For what distance?—The width varies; the excavation would be about a quarter of a mile in length altogether.

11. It would vary, but it would be an addition to the breadth of the river?—Yes.

12. What would be the maximum at any point?—The narrowest point of the river is opposite to Millbank Penitentiary; that is now the narrowest gorge of the river, and that is what we are going to widen; and it was proposed by Mr. Walker, many years ago, to widen that point, because it is the point which prevents the tide going up the river; and that widening would improve the river above, the river being very much wider above that point.

13. Will you give us the maximum breadth and the minimum?—I will give the different breadths. I should state that the narrowest point in the River Thames, above London Bridge, is at Southwark Bridge, where the river is only 600 feet wide; at all other points it is and will be very much wider. Now, above Westminster Bridge, at present, opposite to the Houses of Parliament, it varies from 950 to 1,000 feet in width; it would be reduced to 830 feet in width. Above Westminster Bridge it still continues about the same width as I have given, namely, from about 950 to 1,000 feet, and the width would be reduced to about 800 or 900 feet. At Lambeth Bridge it is 867 feet in width between the abutments of the bridge, which will remain the same. Then the river is reduced, opposite to the Penitentiary, to 593 feet in width; and it is proposed by excavation to increase that to 717 feet; it is shown by the white patch marked "Fore-street," existing embankment, upon that large map before me; that is the piece which will be excavated, and that excavation will produce a more uniform section of the river, and will facilitate the flood tide and the ebb tide in rising and falling; it will carry the tide higher up the river, and improve generally the condition of the navigation of the river.

14. In fact, the distribution of water will be improved by it?—It will; it will flow more freely.

15. I believe this scheme has the approval of the Conservators of the river, who are the proper guardians of that matter?—I believe it has; not officially, but they are aware of it.

16. They do not interpose?—They do not interpose; in fact, I have very little doubt that it would have their approval.

17. They have a clause saving their rights, except as altered by the Bill?—Yes.

18. Another object was the keeping out of high tides which now overflow the lower levels in Lambeth?—Yes.

19. We know very well that that overflow constantly produces a great deal of disease, fever, and so on?—Yes; it is very injurious.

20. To what extent do you keep out the highest tides?—The general line of the embankment wall is four feet above Trinity high-water mark; Trinity high-water being the level of high spring tide, and therefore it is above the highest tides that ever occur in that part.

21. In future, then, all those districts being properly drained, as they will by your new main drainage, will be perfectly dry, instead of being overflowed from time

time to time?—They will be; and they will be rendered much more healthy in consequence.

22. As regards the communications you give by the proposed roadways, the scheme, I think, before the Commission was a continuous roadway along the embankment, was not it?—It was.

23. You propose a roadway along the embankment for a certain distance, and then an adaptation of the existing roadways, to make a communication to Westminster Bridge?—Yes; I believe that will effect the same object as the Commissioners had in view, at a very much less cost.

24. May I take it also, that there is not the same want of a continuous and direct communication as between Vauxhall Bridge and Westminster Bridge, along the line of the river, as there is between Westminster and Blackfriars Bridge further east?—No doubt about it; when you get to Vauxhall you get into the suburbs; and an inspection of that map will show at once that the main roadway leads in a direct line from the York-road, near Westminster Bridge, to a point at Vauxhall Station, where those different roads diverge, where the traffic would be all spread amongst those different roads; it would lead all the traffic to a variety of destinations in the most convenient way; and besides, as is not shown upon that map, that will be a continuous line of roadway, which will perhaps be the longest and one of the finest lines of road in the Metropolis, certainly the finest on the south side of the river, commencing at London Bridge, passing along the new street which is being made to the upper end of Stamford-street.

25. When will that be opened?—About the end of this year; that new street is one of the Southwark improvements. When that street is opened, it opens a wide line of communication from London Bridge into Stamford-street, and along Stamford-street and the York-road to Westminster Bridge, and from Westminster Bridge up along Palace New-road, right away down to Vauxhall; and there the traffic would be distributed to any road going westward to Clapham, Wandsworth, or Kennington, or anywhere in that part of the country.

26. In your departures from the line recommended by the Royal Commissioners, have you had in view the object of saving expense as much as possible?—Yes.

27. Knowing that you had to deal with a limited amount of funds?—Yes.

28. Probably if you had an unlimited amount of funds, you would have adopted more of their plan?—No doubt, if there were unlimited funds it would be desirable to continue that line.

29. In parts of your operations I see you reclaim several valuable pieces of land from the river?—Yes.

30. Of course the sale of those would go in liquidation of the expense?—Yes.

31. What is the total expense for works?—The total expense for works is 245,000 *l.*, and the net expense for property 343,600 *l.*, making together 589,000 *l.*

32. That is net?—That is net.

33. But your gross outlay would be considerably higher, would not it; you have taken credit there for re-sales?—Yes, for 140,000 *l.*

34. Will you give us the gross of the whole first, and then the produce and the net after the re-sales?—The gross would be 728,000 *l.*

35. What do you get in return; what is the deduction from that?—£. 140,000.

36. Now, what is the net?—£. 589,000.

37. Have you gone over the estimates with a good deal of care?—I have gone over that part of the estimate which relates to works, but not that portion which relates to the purchase of land and property, which will be spoken to by another witness.

38. That is a separate part of the estimate?—Yes.

39. Lord *John Manners.*] I observe that the embankment starts at the point where that large triangle begins, does not it?—Yes, the City Gasworks. The embankment is shown by this line marked blue, commencing at Westminster Bridge, and extending to this point at Gun House-alley.

40. Is that laid out so as to admit of the continuation of the embankment further towards Battersea Park, if at any future period it is thought advisable so to continue it?—Yes, it is.

41. And would it admit of the gasworks being passed by the proposed embanked roadway, in the same manner as is shown on the plan submitted by the Commissioners?—It would admit of that; but I dare say you are aware that these

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these gasworks are likely to move their premises, and I think that that locality will be better appropriated, and more useful buildings will be put upon it.

42. Would you explain to the Committee how that piece of ground adjoining Westminster Bridge is proposed to be laid out, as shown upon the plan?—That plan shows the buildings; it shows the main roadway passing behind that space (*pointing to the plan*) up to Westminster Bridge, which gives the roadway a better inclination than if it had gone along the embankment up to the bridge; it shows also the pathway, that is, a broad public promenade which stops at the abutment of the bridge, and leaves a large space between the roadway and the public footpath available either for a public building, or to be laid out as gardens, which would be a vast improvement to the neighbourhood, and look very well from the Houses of Parliament opposite.

43. Can you tell us what the space of ground shown upon that map is, which may be appropriated in the way you have pointed out?—The area is about 8½ acres; if a roadway were continued along the face of the embankment it must rise up to the level of Westminster Bridge, which would be a high point, and would never look so well; whereas if the embankment is kept down on the level of four feet over Trinity high-water mark, with simply steps up to the bridge, and the roadway kept behind, it would be the greatest improvement, as far as the appearance is concerned.

44. What would be the rise of the embankment up to Westminster Bridge?—It was proposed that the rise should be 1 in 56; that was the inclination, and the height of the rise would be 12 feet.

45. I am speaking of the plan proposed by the Commissioners?—That was 1 in 60.

46. Do you think that an objectionable level?—It is not an objectionable level as regards the inclination of the road, but as regards the height, with a rise of 12 feet, making it 16 feet above Trinity high-water mark; a road raised to that level would be objectionable, looking from this side of the water; as regards access to that property, it would bury the property behind it, and shut it out.

47. Will you tell us what property, if any, is proposed to be destroyed by the enlargement of the river; is it an existing street?—There is Upper Fore-street; there is some property there which is very poor tumble-down property, and which it will be a great advantage to the neighbourhood to get rid of; in fact, that will open out that neighbourhood, and be a vast improvement just in that particular spot.

48. Mr. *Buxton.*] Will you be kind enough to trace the line of the present shore on the south side?—The present fore-shore runs along here (*describing the same on the Plan*).

49. Mr. *Doulton.*] What is actual length of the embankment?—The total length of the embankment wall is 4,350 feet; the total length of the street is 4,400 feet.

50. *Chairman.*] From what points have you measured the street when you say it is 4,400 feet?—From Gun House-alley and the London Gasworks, taking the curved line; it is rather longer than the straight line of the embankment, about 500 feet longer.

51. Mr. *Talbot.*] In the estimate you gave for works, did you include the building upon that 8½ acres of land?—The return upon that property is included, not for that particular building; that is simply an imaginary public building, placed there to show the Committee how it would be proposed to deal with that land.

52. Is the cost of making that building included in the cost of the works?—The return is in the net cost; it forms no part of the cost of these works.

53. You say £245,000 *l.* is the estimate for the works?—The building is not included in that.

54. Mr. *Doulton.*] You stated that the level would be objectionable if carried out as originally proposed, and as you deposited drawings; can you tell us what the level of the new road would be, curving round to Westminster Bridge; what is the inclination?—It would fall from Westminster Bridge to the Palace; the new road would be at an inclination of 1 in 56.

55. Would the connexion of the embankment with Westminster Bridge, supposing it were carried out according to the original drawings as deposited, be an expensive portion of the work?—It would.

56. What

56. What would be the difference in cost?—I think the difference in works would be about 25,000 *l.*

57. In works alone?—Yes.

58. Most of the traffic, I believe, comes from the York-road, does it not, at the present time?—A great deal of it does.

59. York-road is at present in an exact line, is not it, with the new street which is at present being carried out?—It is; that is the end of the continuous line of roadway which is, I suppose, about two miles in length.

60. Direct to London Bridge?—Direct to London Bridge.

61. It was proposed, according to the deposited drawings, that there should be a public road on the embankment, and also a public road, called Palace New-road, which is to be widened?—The widening of Palace New-road is not part of the present proposition; no doubt it will be eventually done.

62. That is proposed to be kept a public road?—Yes.

63. And there was also to be a public road as it was proposed upon the embankment?—Yes, originally it was proposed to have a public roadway there, and another roadway here (*pointing to the Plan*).

64. Do you think there would be any necessity for having the two roadways, the roadway upon the embankment leading to Westminster Bridge by the objectionable level which you spoke of, and also the roadway leading to York-road by the new street?—I have no doubt the junction road would be better than a road along the face of the embankment.

65. Can you tell me what the rise will be from York-road to the embankment, if the roadway is carried on the top of the embankment there will be a considerable rise; do you know what the level is at all from York-road to that point?—It is something like 10 feet between those two points; but I will give the exact level, if I can; I find I have not got that level.

66. That block of building that is shown on the model is clearly not a part of the plan as submitted to the Committee?—No.

67. The proposal is to leave that to be appropriated afterwards by the Metropolitan Board of Works for the purpose of such a building as that, or for building purposes generally?—Yes.

68. Do you not anticipate that when the new street is opened from London Bridge, which will be opened at the close of this year, there will be a large increase of traffic?—No doubt.

69. And if the two roads were existing as proposed by the deposited plans, do you think that the traffic would not ascend to the bridge and get on to the embankment, but go down the Palace New-road?—That would be the natural course of it.

70. Let me direct your attention for a moment to that part of the scheme between Lambeth Bridge and the gasworks; you are acquainted somewhat with Lambeth, I believe?—Yes.

71. Is it not the fact that that limited portion of space between Lambeth Bridge and the gasworks is always that which is under water whenever we have any high tides?—It is.

72. In the course of a few years, when the lease of the gasworks is out, is there anything in this scheme to prevent that road being extended through the gasworks and New Bridge-street, Vauxhall, close to the station?—Nothing; no doubt it will be done.

73. There is nothing in the scheme to prevent the embankment being extended eventually to Vauxhall Bridge station?—Nothing.

74. We simply stop where we do, to meet the present requirements; but it can be extended further if we have funds to carry it out?—Yes.

75. I believe the roadway as suggested now, from London Bridge direct to Vauxhall, comes immediately into the neighbourhood of very many railway stations which are being congregated towards Vauxhall: there is a large congregation at Vauxhall at the present time of termini?—Yes, not passenger termini.

76. For goods?—I believe a great number of goods stations are being built in the neighbourhood.

77. We shall really have a continuous line of roadway from where there is this accumulation of railway stations at Vauxhall?—Yes; there is a largely increasing traffic there.

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78. By this road we shall have a continuous roadway from there to London Bridge?—Yes.

79. I believe it has always been a part of every scheme proposed by Mr. Walker, and everybody who has proposed embankment schemes, to widen the river considerably opposite the Penitentiary?—Yes.

80. That has always been considered a very great object?—Yes, that is a very objectionable point in the river; in fact, it is a gorge that obstructs the flow and re-flow of the tide; the alteration there must be an improvement.

81. The property to be removed is of the worst character, is it not?—Yes, it would be an advantage to get rid of it.

82. Mr. *Cox*.] I understood you to say, in answer to the learned counsel, that that piece of ground, containing 8½ acres, would be left for a public building or for gardens?—Yes.

83. I understood you to say, in answer to my honourable friend opposite, that it was to be left for building, I did not hear you say anything about gardens this time; what calculation have you made as regards the value of that 8½ acres for the money that is to be returned; have you calculated for part of it to be left for gardens, or for all of it to be entirely built on?—The gentleman who is coming after me will speak to that point; he has made the estimate for the land; I believe he has considered what return could be obtained from a public building, or from letting it out in different ways for building; I am unable to give the details upon that subject.

84. *Chairman*.] You stated just now that the difference between the cost of the proposed curved street and of a viaduct, would be 25,000 *l*.; could you state at what you estimate the viaduct?—The viaduct above the level of the embankment, rising four feet above Trinity high-water mark, would be 25,000 *l*.

85. Is that the viaduct itself, or the difference?—If you mean upon arching, the cost of arching the whole, and leaving it open, would be, I think, about the same as the cost of a solid embankment without a viaduct over it to raise the road up to Westminster Bridge.

86. So that if a viaduct had been executed between Westminster Bridge and Lambeth Palace, as the Bill originally stood, the cost of that viaduct would be about the same as the proposal now made of substituting a wall embankment for the same interval between Westminster Bridge and Lambeth Palace; is that what you meant?—Yes; a wall embankment would be about the same cost as the viaduct; but the viaduct would have given us a road up to Westminster Bridge, whereas a wall embankment four feet high would not, without a viaduct being placed on the top of it to carry the road up to Westminster Bridge; that would have cost an extra 5,000 *l*., which is saved by carrying it round at the back of the space reclaimed, as is shown upon that plan.

87. Do I rightly understand that now, that it is proposed to abolish the viaduct altogether, the same sum of money will have to be spent in a wall embankment, that would have to be spent in making the viaduct as at first proposed, namely 25,000 *l*.?—Yes; but I should say that there is a saving in works by forming it solid, and constructing this road at the back of it, of 25,000 *l*. over the iron viaduct, with a space left open behind it; there is a saving in works, but there is an increase in the purchase of property.

88. Then the viaduct alone, as was at first proposed, would have cost how much in comparison with this scheme?—That would have cost 25,000 *l*. more than the proposition now laid before the Committee.

89. You compare the cost of the viaduct with the cost of both the wall embankment and the making of the street from Palace New-road up to Westminster Bridge?—Yes.

90. What sort of a wall embankment do you propose to make; of what material is it to be composed?—The estimate is for a granite-faced embankment.

91. If the viaduct had been made, would it have had stone piers or iron?—The estimate was made for iron columns and iron girders.

92. I understood you to say that, although the viaduct would only have had an inclination of 1 in 60, and, therefore would not have been a bad gradient for use, yet it would have interfered with the property behind it, and caused some increase of expense on that account?—The property behind it would have been sunk, as it were, behind the roadway; if the Honourable Members would just look at the abutment of Westminster Bridge on the other side of the water, they will see at once, that if it were to rise to the level of that embankment, the property

property behind must be, as it were, in a valley, and one would only see the upper parts of the houses behind it.

93. Lord *Richard Grosvenor.*] That would diminish the value of the property, of course?—I do not know that it would diminish the value of the property, but it would spoil the appearance of it, and you would have the existing property, which is very poor property, still facing the Houses of Parliament. There are some photographs of the existing property along the river, which will show the Committee the kind of property that will be removed (*handing in the same to the Committee*).

94. Mr. *Doulton.*] There was one point alluded to by the Right Honourable Chairman, to which I am anxious that you should give an answer. The object of the embankment is twofold; I believe one object is to get rid of the mud banks, is it not?—Yes.

95. Do you believe that if our embankment is carried out according to the deposited drawings, upon a viaduct, it would be an easy matter, or that it would be possible in fact, to keep the mud from accumulating under those arches?—The mud would accumulate; it is possible to remove it; but it would always be troublesome. That proposition provided for retaining the existing property; that was done on the score of economy. Now if that property exists opposite the Houses of Parliament, it will never be such an improvement as it would be if there were some fine public building, or a better class of houses erected.

96. Do you not believe that if it were carried out on a viaduct, it would always be a troublesome matter to remove the mud?—Yes.

97. Mr. *Cox.*] In case there was a roadway with a viaduct, there would then be no embankment of the river, would there?—No, the object of that proposition was to enable the trade opposite to the Houses of Parliament to be carried on as it now is.

98. Let us clearly understand; if the roadway is made with a viaduct, there can be no embankment of that part of the river?—No; no embankment whatever.

99. *Chairman.*] Can you state, separately, that portion of the cost of the works which would be required for the removal of the bank between the proposed new road and the existing embankment, which is marked white upon that plan?—Yes; the principal part of that cost is the formation of the embankment wall. I should state, first, that to form that road it would be necessary to buy a great deal of property upon the portion coloured white; the properties are so connected that it would be necessary to buy that; the saving in works by stopping the embankment wall at the east end of the tongue of land projecting into the river, would be 65,000 *l.*, that is the saving on the works.

100. In works, do you include the carting away of the material as well as the making of the wall?—The formation of the wall and the removal of the material; the whole thing would cost about 65,000 *l.* The value of the property to re-sell is estimated at 70,000 *l.*, but it would require an expenditure of 55,000 *l.* upon it to make it available for re-sale; it would require, in point of fact, the embankment wall carried round it, and the removal of the property; so that the total cost, supposing it were re-sold, would be about 80,000 *l.*

101. Do you propose to widen the communication between the York-road and the junction between the Palace New-road and the curved street?—That is not included within the limits of deviation.

102. Mr. *Doulton.*] Do you know what the width of the Palace-road is?—At the narrowest point it is about 30 feet.

103. On the south side of the Palace-road there is very miserable property, is not there?—There is a good deal of it there now.

104. There would be no difficulty in widening that part?—It would be very easy to widen the south side; but that would not make the best improvement.

105. The other side is the theatre, is not it?—It is.

106. *Chairman.*] It is beyond the limits of deviation, and therefore you could not deal with it at present?—We could not deal with it in this Bill.

[The Witness withdrew.

Mr. *Johnson* stated that he could call other engineering evidence if the Committee desired it.

George Pownall, Esq., sworn; Examined by Mr. *Johnson*.

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107. I BELIEVE you are a Land Valuer, and have had great experience in valuations, not only in Westminster, but in other places?—Yes.

108. You know the proposed work to be executed under the provisions of the present Bill?—Yes.

109. Will you kindly tell the Committee what will be the probable cost of the land required for the purposes of that work, and give me in the next figure what may be looked upon as the return to compensate for the original outlay?—The gross cost of acquiring the property from Westminster Bridge to Gun House-alley, that is to the commencement of the gasworks, is 483,060 *l.*; that is the gross cost.

110. What is your estimated return upon that property after the work has been executed, and the re-sales have taken place?—I estimate the returns, supposing the land reclaimed is used for commercial purposes, at 139,420 *l.*

111. As you have put the hypothesis of its being used for commercial purposes, we must take the alternative for some portion, if used for gardens or other purposes; what would it be?—If it is used all for commercial purposes, that is to say, in conjunction with the river, for wharves, and for purposes of that description, the net cost would be 343,640 *l.*

112. Deducting the estimated returns from the gross outlay?—Just so.

113. Will you now give me the net cost, upon the assumption that the portion of land so reclaimed is devoted to recreative, and not to commercial purposes?—Assuming that the ground between Westminster Bridge and Lambeth Bridge is appropriated partly to public gardens, and partly to public offices, the returns would be diminished by 26,150 *l.*, and the ultimate cost would, therefore, be increased by that amount, and would be 369,790 *l.*

114. As against 343,640 *l.*, in the other event?—Yes.

115. *Chairman.*] Will you be good enough to explain what you meant by wharves for commercial purposes?—I mean by commercial purposes, that there would be no public roadway between the land reclaimed and the river, but that the land reclaimed would be let with the advantages of a river frontage; in fact, just as it is used now, only extending out into the river upon the embanked wall.

116. That answer, I believe, applies specially to the part between Westminster Bridge and Lambeth Palace?—I limited it to that.

117. Mr. *Johnson.*] You would get deeper water carried up to the wall, would you not?—So I understand from the engineer; that is not a question which I can answer.

118. Assuming that to be the case, would not the land for that reason be more valuable?—I am not quite sure of that; I do not know that the foreshore is not valuable as a kind of wharf; in fact, as a place where, when the water is down, the barges can lie; I do not think the value would be very much increased for commercial purposes.

119. Let me take you to the other side of the water, if you please; I believe you gave an estimate, did you not, upon the north-side embankment; that is to say, the new street?—Yes, I did.

120. You can tell me, then, taking the gross outlay and the calculated return, what you calculated that, upon the resale, you would obtain?—The net cost, allowing for the estimated return, was 573,060 *l.* I do not know whether you desire again to have the gross cost of acquiring the property and the returns, but they are 998,610 *l.* for the gross cost of acquiring the property between Blackfriars' Bridge and the Mansion House, and 425,550 *l.* for the returns; that will leave the sum I have named, 573,060 *l.*, as the net cost of the property.

121. And would also leave the estimated return of 425,550 *l.* (that was the figure you gave me); we have assumed only a sum of 400,000 *l.* for this purpose; is not that so?—Yes.

122. Lord *John Manners.*] You have given the Committee some estimate as to the probable return from the ground to be reclaimed from the river between Westminster Bridge and Lambeth Bridge?—Yes.

123. You have estimated that at so much, if the ground is applied to commercial purposes, and at so much, if it is applied to partly recreative and partly public purposes?—Yes, just so.

124. Can you give the Committee any information as to the probable return of the same land if it was applied to building purposes?—I assume you to mean, taking

taking off the water frontage; then I think that the return would be diminished by at least one-half, and the ultimate cost increased from 343,640 *l.* to 382,470 *l.* You know that on that side of the water, except for commercial purposes, the land is not very valuable; if houses are built or shops, they are not houses or shops of a very first-rate character, and I do not think they ever will be; I assume your question to be that the water frontage might be preserved for a public walk, and the residue of the land let for building purposes.

125. Assuming that basis of taking off the water frontage, and assuming that you had dwelling houses put there, what then do you estimate the return at?—I then estimate the cost at 382,470 *l.*; that is to say, the loss upon the returns would be one-half, or 38,830 *l.* instead of 26,150 *l.*

126. Then you estimate the return from what we may call a building application of the ground as less than the return from a partially recreative application of the ground, do you?—Yes; I assume that if the building was used for public offices it would command a very good rent; what I have in my mind is the probable concentration of some great Government Departments or Government offices, who would give a great rent for that building, or some similar building; I do know that it could be used for any other purposes than for a building of that description.

127. If it could be used properly for some considerable Government purposes, and thereby be made to pay a considerable return, why should not it be applied for building houses of a considerable calibre, and in the same way produce a considerable return?—Because I do not believe that persons who would pay for houses of that description would live in that part of Westminster.

128. Do you think that Government offices are apt to be placed in positions where people of considerable property would not live?—Yes, I do; the opening of Westminster Bridge has made that part of Lambeth very accessible for business purposes, but I do not know that a gentleman desiring to live in Carlton-gardens would like to go to the New-cut, at Lambeth; it is a matter of fashion and feeling, but I think if any speculator took that land to build such houses as are now being built in Carlton-gardens, no one would take them.

129. I am not talking of such houses as those in Carlton-gardens, but of respectable houses, such as you find in the neighbourhood of Kennington-oval, an inferior class of houses to those at Carlton House Terrace; supposing the works carried out as suggested, supposing the embankment is made, and the good communications of which you speak are opened to Westminster Bridge and to London Bridge, is there any reason why houses of a very respectable character should not be erected on these 8½ acres of ground?—None whatever; I think that such houses as you refer to would be built and would let, but then I think they would not produce so large a ground rent as if the building site was dedicated to some great Government office.

130. Mr. *Talbot.*] What would be the value of that eight and a half acres to build upon, not for a very superior class of houses, but the sort of houses that business men would be likely to live in?—About 38,000 *l.*

131. That would be derivable from the ground rent?—Yes.

132. Leaving a promenade between the houses and the river, of course?—Just so.

133. Mr. *Doulton.*] Do you not think that the land might be let to many public bodies desirous of such a plot of ground as eight acres, who would be prepared to give as much for it as it would be worth if appropriated to commercial purposes?—I think so, certainly; I think that is very probable. The number of public bodies desiring that land would probably be limited.

134. In your general estimate, so far as it has come under your department, is what you have given the Committee a liberal estimate?—Indeed, I think so.

135. Mr. *Cox.*] As regards the cost, is it a liberal estimate?—It is a liberal estimate as regards the cost.

136. I wish to know a little more about these 8½ acres, because in one case you say it would reduce the return by 26,150 *l.*, and in the other case by 38,830 *l.*?—That is to say, I assume that a great public department of Government would give more for it for a great public office than a private speculator would give for it to build such houses as have been referred to.

137. I take it that in your own return of 139,420 *l.*, you have calculated to obtain some very large sum for that building, which is shown on the model?—No doubt; it would be the difference between 26,150 *l.* and 77,660 *l.* I have

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got the original cost and the returns of those two sections; that is to say, from Westminster Bridge to Lambeth Bridge, and from Lambeth Bridge to the termination of the proposed improvements.

138. Supposing we assume that there is no probability or chance of the Government taking any part of that land for public buildings, what loss would there be if the land were left as an entirely open space, without any buildings upon it?—Then the loss would be 77,660 *l.*

139. So that if it is used entirely for commercial purposes, the loss would be 26,150 *l.*, as I understand?—No; I will give you the two sections. I have stated that the whole gross cost would be 483,060 *l.*, and the returns 139,420 *l.*; if used for wharfage and commercial purposes, of the first section, from Westminster Bridge to Lambeth Bridge, the gross cost would be 217,660 *l.*, and the returns on that portion would be 77,660 *l.*, leaving as the net cost of that section, 140,000 *l.*; and then of the second section, the gross cost from Lambeth Bridge to Gun House-alley would be 265,400 *l.*, and the returns would be 61,760 *l.*, leaving as the net cost of that portion 203,640 *l.*: those two sections added together, make the sum I have mentioned, 343,640 *l.*

140. Now, going back to the first section, you calculate the returns at 77,660 *l.*, that is on the assumption that the Government take that part of the ground?—No; it is on the assumption that it is to be let for wharves.

141. For wharves entirely?—Entirely.

142. And no part applied for purposes of recreation?—No part dedicated to the public.

143. If the whole were applied for purposes of public recreation the loss would be 77,660?—Yes.

144. In the other case you gave another amount of loss?—That is on the hypothesis of a public way being made, and cutting off the whole of the water frontage, and the residue of the land let for houses, and so on.

145. *Chairman.*] I think a Royal Commission sat upon this subject and considered the advantages of having a viaduct between Westminster Bridge and Lambeth Palace for the purpose of a public road; you have considered the cost of what you have called the first section; could you state what would be the cost of the first section if that original plan were adopted, and no land were purchased up to the embankment, but if a viaduct were made which would leave the wharves untouched to carry on their business, as they at present do?—I really cannot charge my memory with what the amount of that alternative proposition was, but I think it would be a total loss; that is to say, it would be a case of compensation to persons owning wharves now on the river for the interruption of their communication; my impression is, that it involved a loss of something like 40,000 *l.*

146. That is upon the assumption, which would be urged by the owners of wharves, that this viaduct came in front of their property, and did them damage?—Just so; it would prevent that free access to the wharves which they had before; but it must be obvious, I think, that, if it is done at all, the solid embankment is by far the better scheme; the other is, to me, not a very desirable alternative to adopt.

147. You think that the present arrangement would be much handsomer in its general architectural effect, and better for the navigation of the river?—I think so.

148. On the other hand, have you not to consider that by the present arrangement there would be no public road by the side of the embankment, and consequently the public would not have access, in carriages at all events, to that bank of the river?—Just so; that is the case; but this road, as shown upon this Plan, would make a very fine thoroughfare.

149. And would the road, as shown upon this Plan, make a better turn than the abrupt departure from Westminster Bridge, at right angles down the viaduct?—Decidedly.

150. Lord *John Manners.*] Were you examined last year on the embankment of the north side?—Yes.

151. Do you see any similarity between this mode of leaving Westminster Bridge and getting back again upon the embankment, to the scheme proposed last year by Mr. Pennethorne, for leaving the embankment?—I do not recollect the particulars of the scheme.

152. *Chairman.*] Have you included in your estimate any purchase of property in

in Vauxhall-row, or is it stopped where the brown colour stops?—We have stopped where the brown colour stops; but if the Committee desire it, I am prepared to state to them what the cost would be of continuing the road up to the New Bridge-street. *G. Pownall, Esq.* 17 June 1863.

[The Witness withdrew.

Mr. *Johnson* stated that he could call other surveying Witnesses if necessary.

George Sydney Hatton, Esq., sworn; Examined by Mr. *Johnson*.

153. I BELIEVE you are the Accountant to the Metropolitan Board of Works?—I am. *G. S. Hatton, Esq.*

154. Will you be good enough to tell me, with a view to the finance and to the funds to be forthcoming for the execution of this work, what is the accumulated balance at present in the Treasury arising from the Wine and Ninepenny Coal Fund; I think you gave me 276,485 *l.* yesterday?—Yes; that is the available balance, after making deductions for certain sums set aside for preliminary charges.

155. It was something in excess of that, but you have reduced it to that by giving credit for some sums to be deducted?—Yes.

156. *Chairman.*] At what date?—Up to the 31st of December last. It appears in the Parliamentary Return published on the 1st of June 1863, but the receipt was up to the 31st of December 1862; a sum has been set aside since we were in the House of Commons.

157. Mr. *Johnson.*] Will you be good enough to tell me the value at 20 years' produce of the 9 *d.* charge on the coal and the wine duties, taking from July 1862 to July 1882, the rate being 162,000 *l.* per annum, I think?—Yes, that was the amount received in the year 1862; the value would be 2,204,649 *l.*, making the total amount of the fund, 2,481,134 *l.*

158. £.2,204,649 is the value of the produce of the wine and coal duties from July 1862 to July 1882?—Yes.

159. Those two figures added together, amount to 2,481,134 *l.*, which is the total available fund?—That is so.

160. From that we have to deduct that for which borrowing powers have already been taken for the north side works; 1,000,000 *l.* last year, and 1,000,000 *l.* this year, making 2,000,000 *l.* of money?—That is so.

161. Leaving, therefore, a residue available and applicable to the purpose of this south side embankment, 481,134 *l.*; is that so?—That is so.

162. To that you have to add, what I dare say you have heard stated by Mr. Pownall as the probable ultimate return upon the sale of land and other property to be taken credit for when the works are complete upon the north side?—Yes.

163. I think Mr. Pownall gave us that as 425,550 *l.*, if I recollect rightly; this is the return upon the street after the property re-sale has taken place; that would be the return to be taken credit for when the works are completed; 425,550 *l.* is the eventual return?—Yes.

164. If you add those figures together, what do they give?—£.906,684.

165. That is the available fund for the purposes of this work?—Yes.

166. Mr. *Doulton.*] The total sum which, in your opinion, is available for this work is 906,684 *l.*?—That is so.

167. In that 906,684 *l.* there is not included the 300,000 *l.* which it is estimated the street on the north side will cost less than the sum set apart, the 2,000,000 *l.*?—No.

168. The actual cost of the new street is 1,700,000 *l.*?—Yes.

169. The fund is charged 2,000,000*l.*?—Yes.

170. So that we should still have, in addition to that, probably, a balance over and above the cost of the new street?—Yes, which would raise it to 1,200,000 *l.*

171. In addition to that, in the estimate you have given to us of the produce of the coal duties, you have not estimated any increase in the receipts?—No, I took the last return of 162,232*l.*

172. The probabiltty, of course, is, that during that period there would be an increase, because during the time in which you have had returns from year to

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year, there has always been a large increase in the amount of the rate?—Yes.

173. Lord *John Manners.*] Have you allowed for the yearly interest you will have to pay?—It is worked out as a sinking fund.

174. Mr. *Cox.*] The gross receipt is 2,400,000 *l.*?—Yes, that includes the interest.

175. You have deducted from that amount, the sums you would have to pay for interest?—Yes, that is so.

176. *Chairman.*] Will you state what is the rate of interest you have taken?—£. 4. per. cent.

177. I suppose the difference between the sum you give is the repayment of principal?—Yes, it is the annual repayments of principal after paying the interest; whatever surplus remains, after paying the interest, is to go in liquidation of the principal.

178. That reduces it from 3,240,000 *l.* down to 2,200,000 *l.*?—Yes.

179. Mr. *Cox.*] I suppose that calculation is right?—There is no doubt about it; it has been worked out with the greatest care.

[The Witness withdrew.

Mr. *Johnson* stated that that concluded the case on behalf of the Promoters of the Bill.

The Committee-room was cleared.

After a short time, the counsel and parties were again called in.

The *Chairman* stated that the Committee were of opinion that the preamble of the Bill was proved, subject to the amendment of inserting the words "or public foo way," after the words "public roadway." And further, that the Committee wished a clause to be inserted giving access to the public along the embankment between Lambeth Bridge and Westminster Bridge.

Mr. *Phinn* stated that the Metropolitan Board of Works were in treaty with the Governors of St. Thomas' Hospital to sell to them the ground adjoining the Surrey side of Westminster Bridge, and that they feared that the requirement of a public thoroughfare along the river front would prevent the site from being used for the purposes of the hospital.

The Committee-room was cleared.

After some time, the counsel and parties were again called in.

The *Chairman* stated, that besides altering the preamble by the insertion of the words "public footway," according to their former decision, the Committee had decided that the public ought not to be excluded from the river front, but that the pathway should be continued not only as a promenade but as a thoroughfare along the whole length of the embankment.

The clauses were then proceeded with; clause 1 was amended by striking out No. 2 and framing Nos. 3 and 4 to express the decision of the Committee.

Mr. *Parkes* proposed clause 1 A. to carry out the decision of the Committee by requiring a public footway of not less than 20 feet in width, to be made and maintained along the embankment from Westminster Bridge to the point where the intended street to Vauxhall-row diverges from the embankment roadway.

The Committee-room was cleared.

After a short time, the counsel and parties were again called in.

The *Chairman* stated that the Committee had adopted the clause as proposed, specifying 20 feet as the minimum width of the footway.

Clause 2 was read and agreed to, with the addition of a proviso for protecting the interest of persons whose wharves and other property might be affected by the proposed works.

Mr.

Mr. *Phinn* proposed to amend Clause 4 by substituting 10 feet for five feet as the limit of the vertical deviation of the works. 17 June 1863.

Joseph William Bazalgette, Esq., called again.

180. Mr. *Phinn.*] I THINK you can explain to the Committee why you wish for this alteration in the level?—Yes, if the Committee will allow me to explain why we want that deviation, I will do so; the deposited Plans show a roadway rising up to this point at Westminster Bridge; if the roadway is now constructed at a point lower down, such as this point,—(*pointing to the Plan*)—it will not have to rise up to that high level; therefore we should want a deviation depressing it to the level of 12 feet, I think. *J. W. Bazalgette*, Esq.

181. *Chairman.*] To deviate downwards?—Yes.

182. Which would be an advantage to everybody?—Yes.

183. Mr. *Phinn.*] Which do you want, 12 or 10 feet?—Twelve feet; I am not certain of the level now.

184. The more you depress it the better it would be?—Yes, certainly.

Mr. *Phinn* proposed to alter the limit of deviation into the river without the consent of the Conservators, from 10 feet to 15 feet.

185. Mr. *Parkes.* (To Mr. *Bazalgette.*)] What do the Conservators say to that?—Our limit of deviation, as shown out there, was very much greater; it extends out as much into the river as the Plan of the Royal Commission; we do not propose to do as much as that; that was the plan they said, and they did not object to it; I may say that 10 feet is scarcely appreciable upon a map of that size.

[The Witness withdrew.

The *Chairman* stated that the Committee were of opinion that the clause should be altered by the insertion of 12 feet in the former case, and 15 feet in the latter case.

Mr. *Parkes* stated that he would proceed to clause 18, and that it was proposed by that clause to take borrowing powers to the extent of 700,000 *l.*

The Committee-room was cleared.

After a short time the counsel and parties were again called in.

The *Chairman* stated that the Committee were of opinion that the blank in the clause should be filled up with the words 700,000 *l.*

Clauses 18 and 19 were read and agreed to.

Mr. *Parkes* proposed clause 20 A, enabling the Metropolitan Board of Works to raise the money authorised by this Act, upon the security of the metropolitan rates.

The Committee-room was cleared.

After a short time the counsel and parties were again called in.

The *Chairman* stated, that the Committee were of opinion that the clause proposed by the promoters should be inserted.

[Adjourned to To-morrow, at Twelve o'clock.

Jovis, 18° *die Junii*, 1863.

MEMBERS PRESENT.

Mr. Buxton.
Mr. Cowper.
Mr. Doulton.
Lord John Manners.
Mr. Talbot.

THE RIGHT HON. WILLIAM COWPER, IN THE CHAIR.

18 June 1863.

Clauses 4 A and 4 B were read and agreed to.

On clause 4c, relating to the maintenance of existing draw docks at Broad-street and Ferry-street.

Joseph William Bazalgette, Esq., called again.

J. W. Bazalgette, Esq.

186. *Chairman.*] WILL you point out where the two draw docks are at Broad-street and Ferry-street?—Those are the points where the draw docks are (*pointing to the map*).

187. Will you explain what you propose to do there?—At present these are open public docks; barges lie upon the foreshore of the river, and the people in the neighbourhood go down with horses and carts when the tide is partially out and load them, and they draw the carts up by these steps; we propose to give them an arch under the roadway to enable them to do so still; we propose to form a level place which will be paved, as a hard for the barges to lie upon.

188. At present it will not interfere with the level of the embankment at that place where the arch is, I suppose?—No, we are to give them 10 feet headway, and we can do that.

189. Mr. *Talbot.*] Then you will have to give them a culvert under the roadway?—Yes, it will be a culvert under the roadway.

190. Mr. *Phinn.*] I dare say you will recollect some discussion on the other Bill about a similar place just beyond the Temple, close by the gasworks, where we were obliged to make a place to let the barges lie upon, and these will do the same thing, only in a different way?—Yes.

191. Lord *John Manners.*] What effect will it have upon the river as regards the mud and so on?—It will be precisely as it is at the present time; it will not affect the river in any way.

192. Do you think it will have any effect in causing an accumulation of mud?—There will be certainly just the same tendency as there is now for mud to be thrown up at high-water; now the tide leaves behind it anything that may be floating on the surface of the water, and it would be likely to do so still.

193. Mr. *Doulton.*] But the wash is such that the mud is decreasing rather than accumulating, is it not, at the present time?—I do not know about that.

194. *Chairman.*] I suppose there will be some accumulation of mud, but it could be cleared away from time to time?—I think so; I think there will be a tendency for the mud to accumulate.

[The Witness withdrew.

Clause 4 c was read and agreed to.

Clauses 5, 6, and 7 were read, and agreed to.

Clause 8 was amended, by inserting a proviso for the protection of the gas and water companies.

Clauses 9, 10, and 11 were read, and agreed to.

Mr. *Hopgood* proposed a clause on behalf Mr. Thomas Grissell, requiring the Board, if they should take any part of one of his wharves, or if they should prevent either of his wharves from being used as a wharf, to purchase his interest in the whole of that wharf.

Mr.

Mr. *Phinn* was heard against the proposed clause, and submitted that it involved a departure from precedent, which was wholly unnecessary, as the Bill provided for adequate compensation to be given to all owners of property affected. 18 June 1863.

Mr. *Hopgood* was heard in reply.

The *Chairman* stated, that the Committee were of opinion that the clause should not be introduced into the Bill.

The remaining clauses were read, and agreed to.

The *Chairman* was directed to report the Bill, as amended, to The House.

REPORT

FROM THE

SELECT COMMITTEE

ON

THAMES EMBANKMENT (SOUTH SIDE) BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

Ordered, by The House of Commons, *to be Printed,*
19 *June* 1863.